



भारत का राजपत्र

The Gazette of India

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

साप्ताहिक

WEEKLY

सं० 49 | नई दिल्ली, नवम्बर 27—दिसम्बर 3, 2005, शनिवार/अग्रहायण 6—अग्रहायण 12, 1927
No. 49 | NEW DELHI, NOVEMBER 27—DECEMBER 3, 2005, SATURDAY/AGRAHAYANA 6—AGRAHAYANA 12, 1927

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक् संकलन के रूप में रखा जा सके।
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं।
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

गृह मंत्रालय

नई दिल्ली, 22 नवम्बर, 2005

का. आ. 4466.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप-नियम (4) के अनुसर में, यह मंत्रालय के निम्नलिखित कार्यालयों में हिन्दी का कार्यसाधक ज्ञान रखने वाले कर्मचारियों को संख्या 80% से अधिक हो जाने के फलस्वरूप उन्हें एतद्वारा अधिसूचित करती है :

कार्यालय कमांडेण्ट-159 बटालियन, केन्द्रीय रिजर्व पुलिस बल
कार्यालय कमांडेण्ट-168 बटालियन, केन्द्रीय रिजर्व पुलिस बल
कार्यालय कमांडेण्ट-166 बटालियन, केन्द्रीय रिजर्व पुलिस बल
कार्यालय कमांडेण्ट-163 बटालियन, केन्द्रीय रिजर्व पुलिस बल
कार्यालय अपर पुलिस उप महानिरीक्षक-केन्द्रीय हथियार भंडार-2, केन्द्रीय रिजर्व पुलिस बल, पुणे

[सं. 12017/1/2004-हिन्दी]

राजेन्द्र सिंह, निदेशक (राजभाषा)

MINISTRY OF HOME AFFAIRS

New Delhi, the 22nd November, 2005

S.O. 4466.—In pursuance of sub-rule (4) of Rule 10 of the Official Languages (Use for Official Purposes of the Union) Rules, 1976, the Central Government hereby notifies the following offices of the Ministry of Home Affairs where the percentage of Hindi knowing staff has gone above 80% :

Office of the Commandant- 159 Battalion,
Central Reserve Police Force.

Office of the Commandant- 168 Battalion,
Central Reserve Police Force.

Office of the Commandant- 166 Battalion,
Central Reserve Police Force.

Office of the Commandant- 163 Battalion,
Central Reserve Police Force.

Office of the Addl. DIGP, CWS-II, Central Reserve Police Force, Pune.

[No. 12017/1/2004-Hindi]

RAJENDRA SINGH, Director (OL)

वित्त मंत्रालय
 (राजस्व विभाग)
केन्द्रीय प्रत्यक्ष कर बोर्ड
 नई दिल्ली, 14 नवम्बर, 2005
 (आयकर)

का. आ. 4467.—आयकर अधिनियम, 1961 (1961 की 43) की धारा 10 के खण्ड (23) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा “इंडिया पोलो प्रोमोशन फाउंडेशन, मुम्बई” को कर निर्धारण वर्ष 2001-2002 से 2002-2003 तक के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त उप-खंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- (i) कर निर्धारिती उसकी आय का इस्तेमाल अथवा उसकी आय का इस्तेमाल करने के लिए उसका संचयन इस प्रकार के संचयन हेतु उक्त खंड (23) द्वारा यथा संशोधित धारा 11 की उप-धारा (2) और (3) के उपबंधों के अनुरूप पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा जिनके लिए इसकी स्थापना की गई है;
- (ii) कर निर्धारिती उपर्युक्त कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों को किसी भी अवधि के द्वारा धारा 11 की उप-धारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से उसकी सिधि (जैवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा अनुरक्षित स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करेगा;
- (iii) कर निर्धारिती इसके सदस्यों को किसी भी तरीके से इसकी आय के किसी भाग का मंत्रितरण इससे संबद्ध किसी एसोसिएशन अथवा संस्था को अनुदान के अलावा नहीं करेगा; और
- (iv) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कारोबार से प्राप्त लाभ तथा अभिलाभ हो जब तक कि ऐसा कारोबार उक्त कर निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा पुस्तिकाएं नहीं रखी जाती है।

[अधिसूचना संख्या 229/2005/फा. सं. 196/6/2005-
आयकर नि.-1]

दीपक गांव, अवर सचिव

MINISTRY OF FINANCE
 (Department of Revenue)
CENTRAL BOARD OF DIRECT TAXES

New Delhi, the 14th November, 2005

(INCOME TAX)

S.O. 4467.—In exercise of powers conferred by the clause (23) of Section 10 of the Income-tax Act, 1961

(43 of 1961) the Central Government hereby notifies “India Polo Promotion, Foundation, Mumbai” for the purpose of the said clause for the assessment years 2001-2002 to 2002-2003, subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate it for application, in consonance with the provisions of sub-section (2) and (3) of Section 11 as modified by the said clause (23) for such accumulation wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its fund (other than voluntary contributions received and maintained in the form of jewellery, furniture or any other article as may be notified by the Board under the third provisions to the aforesaid clause (23) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) the assessee will not distribute any part of its income in any manner to its members except as grants to any association or institution affiliated to it; and
- (iv) this notification will not apply in relation to any income, being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of account are maintained in respect of such business.

[Notification No. 229/2005/F. No. 196/6/2005-ITA-I]

DEEPAK GARG, Under Secy.

नई दिल्ली, 18 नवम्बर, 2005

(आयकर)

का. आ. 4468.—आयकर अधिनियम, 1961 (1961 की 43) की धारा 10 के खण्ड (23ग) के उपखंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा “मिशनेरीज ऑफ चैरिटी, कोलकाता” को कर निर्धारण वर्ष 2005-2006 से 2007-2008 तक के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- (i) कर निर्धारिती अपनी आय का इस्तेमाल अथवा अपनी आय का इस्तेमाल करने के लिए उसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा जिनके लिए इसकी स्थापना की गई है;

- (ii) कर निर्धारिती उपर्युक्त कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढ़ग अथवा तरीकों से भिन्न तरीकों से उसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा अनुरक्षित स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करेगा;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ हो जब तक कि ऐसा कारोबार उक्त कर निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों;
- (iv) कर निर्धारिती आय कर अधिनियम, 1961 के प्रावधानों के अनुसार अपनी आय विवरणी नियमित रूप से आय कर प्राधिकारी के समक्ष फाइल करेगा;
- (v) विघटन की स्थिति में इसकी अतिरिक्त राशियाँ और परिसम्पत्तियाँ समान उद्देश्यों वाले संगठन को दे दी जाएंगी।

[अधिसूचना संख्या 248/2005/फा. सं. 197/64/2005-
आयकर नि.-I]

देवी शरण सिंह, अवर सचिव

New Delhi, the 18th November, 2005
(INCOME TAX)

S.O. 4468.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies the "Missionaries of Charity, Kolkata" for the purpose of the said Sub-clause for the assessment years 2005-2006 to 2007-2008, subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its fund (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above other wise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income, being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business;

- (iv) the assessee will regularly file its return of income before the Income-tax authority in accordance with the provisions of the Income-tax Act, 1961;
- (v) that in the event of dissolution of the Trust, its surplus and the assets will be given to an organisation with similar objectives.

[Notification No. 248/2005/F. No. 197/64/2005-ITA-I]

DEVI SHARAN SINGH, Under Secy.

नई दिल्ली, 18 नवम्बर, 2005

(आयकर)

का. आ. 4469.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23ग) के उपखंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा "सोसायटी फॉर प्रोमोशन ऑफ वेस्टलैंड्स डब्लैपर्मेंट, नई दिल्ली" को कर निर्धारण वर्ष 2005-2006 से 2007-2008 तक के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- (i) कर निर्धारिती अपनी आय का इस्तेमाल अथवा अपनी आय का इस्तेमाल करने के लिए उसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा जिनके लिए इसकी स्थापना की गई है;
- (ii) कर निर्धारिती उपर्युक्त कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढ़ग अथवा तरीकों से भिन्न तरीकों से उसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा अनुरक्षित स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करेगा;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ हो जब तक कि ऐसा कारोबार उक्त कर निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएं नहीं रखी जाती हो;
- (iv) कर निर्धारिती आय कर अधिनियम, 1961 के प्रावधानों के अनुसार अपनी आय विवरणी नियमित रूप से आय कर प्राधिकारी के समक्ष फाइल करेगा;
- (v) विघटन की स्थिति में इसकी अतिरिक्त राशियाँ और परिसम्पत्तियाँ समान उद्देश्यों वाले संगठन को दे दी जाएंगी।

[अधिसूचना संख्या 249/2005/फा. सं. 197/95/2005-
आयकर नि.-I]

देवी शरण सिंह, अवर सचिव

New Delhi, the 18th November, 2005
(INCOME TAX)

S.O. 4469.—In exercise of the powers conferred by the sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies the “Society for Promotion of Wastelands Development, New Delhi” for the purpose of the said Sub-clause for the assessment years 2005-2006 to 2007-2008, subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its fund (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income, being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business;
- (iv) the assessee will regularly file its return of income before the Income-tax authority in accordance with the provisions of the Income-tax Act, 1961;
- (v) that in the event of dissolution of the Trust, its surplus and the assets will be given to an organisation with similar objectives.

[Notification No. 249/2005/F. No. 197/95/2005-ITA-I]

DEVI SHARAN SINGH, Under Secy.

नई दिल्ली, 23 नवम्बर, 2005

(आयकर)

का. आ. 4470.—सर्वसाधारण की जानकारी के लिए एतद्वारा यह अधिसूचित किया जाता है कि केन्द्रीय सरकार द्वारा आयकर नियमावली, 1962 के नियम 6 के साथ पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (ii) के प्रयोजनार्थ ‘विश्वविद्यालय, कॉलेज अथवा अन्य संस्था’¹ की श्रेणी के अन्तर्गत दिनांक 1-4-2001 से दिनांक 31-3-2004 तक की अवधि के लिए श्री ए.एम.एम. मुरुगप्पा चेट्टियार

रिसर्च सेन्टर तारामनी, चेन्नई-600113, जो अंशतः अनुसंधान कार्यक्रमांकों में कार्यरत है (और न कि अनुसंधान के लिए एक मात्र मौजूद ‘वैज्ञानिक अनुसंधान संघ’ के रूप में है), को निम्नलिखित शर्तों के अधीन अनुमोदित किया गया है :—

- (i) अनुमोदित संगठन अपने अनुसंधान कार्यक्रमांकों के लिए अलग खाते रखेगा।
- (ii) वित्तीय वर्षों के प्रत्येक वर्ष के लिए जिसके लिए यह अनुमोदन प्रदान किया जा रहा है, अनुमोदित संगठन अनुसंधान कार्यक्रमांकों के संबंध में लेखा परीक्षित आय एवं व्यय खाते की एक प्रति इसके क्षेत्राधिकार वाले आयकर आयुक्त/आयकर निदेशक (छूट) को आय कर विवरणी दाखिल करने की नियत तारीख को अथवा उससे पहले अथवा इस अधिसूचना की तारीख से 90 दिनों के अन्दर, जो भी बाद में समाप्त हो, प्रस्तुत करेगा, जिसके लिए इसे आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के अन्तर्गत अनुमोदन प्रदान किया गया है।
- (iii) यह संगठन उपर्युक्त पैरा (ii) में सदर्भित आय एवं व्यय खाते के साथ लेखा परीक्षक से प्राप्त एक प्रमाण पत्र भी संलग्न करेगा :—
 - (क) जिसमें संगठन द्वारा वैज्ञानिक अनुसंधान/सांख्यिकीय अनुसंधान के लिए प्राप्त की गई उस राशि का उल्लेख किया गया हो, जिसके लिए दानकर्ता धारा 35 की उपधारा (1) खंड (ii) के अन्तर्गत कटौती का दावा करने के लिए पात्र हैं।
 - (ख) जिसमें यह प्रमाणित किया गया हो कि किया गया व्यय सामाजिक विज्ञान/सांख्यिकीय अनुसंधान के लिए ही था।

[अधिसूचना संख्या 250/2005/फा. सं. 203/28/2004-आयकर नि.-II]
 निधि सिंह, अवर सचिव

New Delhi, the 23rd November, 2005

(INCOME TAX)

S.O. 4470.—It is hereby notified for general information that the organization Sri A.M.M. Murugappa Chettiar Research Centre, Taramani, Chennai-600113 has been approved by the Central Government for the purpose of clause (ii) of sub-section (1) of section 35 of the Income Tax, 1961, read with Rule 6 of the Income tax Rules, 1962 for the period from 1-4-2001 to 31-3-2004 under the category ‘University, College or other Institution’ partly engaged in research activities (and not as a scientific research

association existing solely for research) subject to the following conditions :—

- (i) The approved organization shall maintain separate accounts for its research activities.
- (ii) For each of the financial years for which this approval is being given, the approved organization shall submit a copy of its audited Income & Expenditure account in respect of the research activities for which it has been approved under sub-section (1) of Section 35 of I.T. Act 1961 to the Commissioner of Income Tax/Director of Income Tax (Exemptions) having jurisdiction, on or before the due date of filing of return of income or within 90 days from the date of this notification, whichever expires later.
- (iii) The approved organization shall also enclose with the Income & Expenditure account referred to in paragraph (ii) above, a certificate from the auditor :—
 - (a) specifying the amount received by the organization for scientific research/statistical research in respect of which the donors are eligible to claim deduction under clause (ii) of sub-section (1) of Section 35.
 - (b) certifying that the expenditure incurred was for research in social science/statistical research.

[Notification No. 250/2005/F. No. 203/28/2004-ITA-II]

NIDHI SINGH, Under Secy.

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 22 नवम्बर, 2005

का. आ. 4471.—राष्ट्रीयकृत बैंक (प्रबंध एवं प्रकीर्ण उपबंध) स्कीम, 1970 के खंड 9 के उपखंड (1) व (2)(क) के साथ पठित, बैंककारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970 की धारा 8 की उपधारा (3) के खंड (च) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक के परामर्श से, एतद्वारा श्री देवाशीष घोष, उपाध्यक्ष, यूनियन बैंक ऑफ इंडिया अधिकारी संघ को अधिसूचना जारी होने की तारीख से, तीन वर्ष की अवधि के लिए अथवा उनका उत्तराधिकारी नामित होने तक अथवा उनके यूनियन बैंक ऑफ इंडिया के अधिकारी न रहने तक, इनमें से जो भी पहले हो, यूनियन बैंक ऑफ इंडिया के निदेशक मंडल में अधिकारी कर्मचारी निदेशक के रूप में नामित करती है।

[फा.सं. 9/35/2003-बीओ-1]

जी.बी. सिंह, अवर सचिव

(Department of Economic Affairs)

(BANKING DIVISION)

New Delhi, the 22nd November, 2005

S.O. 4471.—In exercise of the powers conferred by clause (f) of Sub-section (3) of Section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 read with Sub-clause (1) and (2)(a) of clause (9) of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby nominates Shri Debasis Ghosh, Vice-President, Union Bank of India Officers' Federation as Officer Employee Director on the Board of Directors of Union Bank of India for a period of three years from the date of Notification or until his successor has been nominated or until he ceases to be an officer of Union Bank of India, whichever is earlier.

[F. No. 9/35/2003-BO-I]

G.B. SINGH, Under Secy.

OFFICE OF THE CHIEF COMMISSIONER OF INCOME TAX

CORRIGENDUM

Udaipur, the 17th November, 2005

S.O. 4472.—By Notification No. 7/28 dated 30th September, 2005 Circulated vid this office letter No. CCIT/UDR/ITO(A)/2005-06/1593 of even date, the Institution known as "Pacific Education Society, Udaipur" has been accorded approval for the purposes of Sec. 10(23C) (vi) of the Act for the assessment years 2003-04 and 2004-05.

2. The following shall be read as part of the said Notification, as the last sentence.

"This approval is subject to the condition that the constitution as amended by resolution dated 20-8-2005 is got registered with the Registrar of Societies".

[No. CCIT/UDR/ITO(A)/2005-06/1978]

P. K. MISRA, Chief Commissioner of Income-Tax

विदेश मंत्रालय

(सी.पी.बी. प्रभाग)

नई दिल्ली, 18 नवम्बर, 2005

का. आ. 4473.—राजनयिक कौसली अधिकारी (शपथ एवं शुल्क) अधिनियम, 1948 (1948 का 41वां) को धारा 2 के अंक (क) के अनुसरण में केन्द्रीय सरकार एतद्वारा भारत का राजदूतावास, मस्कत में श्री के.एल. ककर एवं श्री एच.एस. रावत, सहायकों को 18-11-2005 से सहायक कौसली अधिकारी का कार्य करने हेतु प्राधिकृत करती है।

[सं. टी-4330/01/2005]

एस.एन.वी. रामना राव, अवर सचिव (कौसली)

MINISTRY OF EXTERNAL AFFAIRS

(C.P.V. DIVISION)

New Delhi, the 18th November, 2005

S.O. 4473.—In pursuance of the clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and fees) Act, 1948 (41 of 1948), the Central Government hereby Authorize Shri K.L. Kakar and Shri H.S. Rawat, Assistants in the Embassy of India, Muscat to perform the duties of Assistant Consular Officer with effect from 18-11-2005.

[No. T. 4330/01/2005]

S.N.V. RAMANA RAO, Under Secy. (Cons.)

नई दिल्ली, 18 नवम्बर, 2005

का. आ. 4474.—राजनयिक कौसली अधिकारी (शपथ एवं शुल्क) अधिनियम, 1948 (1948 का 41वा) को धारा 2 के अंक (क) के अनुसरण में केन्द्रीय सरकार एतद्वारा भारत का राजदूतावास, कुवैत में निम्नलिखित सहायकों को 18-11-2005 से सहायक कौसली अधिकारी का कार्य करने हेतु प्राधिकृत करती है।

- (1) श्रीमती हरमोहन कौर
- (2) श्रीमती बिमला चौहान
- (3) श्री कैलाश प्रसाद
- (4) श्री ए.के. माथुर
- (5) श्री विजय कुमार

[सं. टी-4330/01/2005]

एम.एन.बी. रामना राव, अवर सचिव (कौसला)

New Delhi, the 18th November, 2005

S.O. 4474.—In pursuance of the clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and fees) Act, 1948 (41 of 1948), the Central Government hereby authorize below mentioned Assistants in the Embassy of India, Kuwait to per form the duties of Assistant Consular Officer with effect from 18-11-2005.

- (i) Smt. Harinohan Kaur
- (ii) Smt. Bimla Chauhan
- (iii) Shri Kailash Prasad
- (iv) Shri A.K. Mathur
- (v) Shri Vijay Kumar

[No. T. 4330/01/2005]

S. N. V. RAMANA RAO, Under Secy. (Cons.)

नागर विमानन मंत्रालय

नई दिल्ली, 14 नवम्बर, 2005

का. आ. 4475.—एतद्वारा केन्द्रीय सरकार भारतीय विमानपत्र प्राधिकरण अधिनियम, 1994 (1994 की सं. 55) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, डा. एस. ए. जैदी, संयुक्त सचिव, के स्थान पर श्री संजय नारायण, संयुक्त सचिव, नागर विमानन मंत्रालय को भारतीय विमानपत्र प्राधिकरण बोर्ड का अंशकालिक सदस्य के रूप में तत्काल प्रभाव से नियुक्त करती है।

[सं. एवी.24015/005/1994-वीबी]

एस. के. आर्य, अवर सचिव

MINISTRY OF CIVIL AVIATION

New Delhi, the 14th November, 2005

S.O. 4475.—In exercise of the powers conferred by Section 3 of the Airports Authority of India Act, 1994 (No.55 of 1994) the Central Government hereby appoints Shri Sanjay Narayan, Joint Secretary, Ministry of Civil Aviation, as a part-time Member on the Board of Airports Authority of India vice Dr. S.N.A. Zaidi, Joint Secretary, with immediate effect.

[No. AV.24015/005/1994-VB]

S.K. ARYA, Under Secy.

नई दिल्ली, 25 नवम्बर, 2005

का. आ. 4476.—सामान्य सांविधिक नियम 2004 के 383 के तहत दिनांक 29 अक्टूबर, 2004 को प्रकाशित निदेशक इंदिरा गांधी राष्ट्रीय उड़ान अकादमी भर्ती नियम, तत्काल प्रभाव से निरस्त किए जाते हैं।

[सं. एवी.28060/024/2004-वीई]

कमल किशोर पंत, अवर सचिव

New Delhi, the 25th November, 2005

S.O. 4476.—The Director, Indira Gandhi Rashtriya Uran Akademi Recruitment Rules, 2004 published on 29th October, 2004 under General Statutory Rules 383 of 2004 are repealed with immediate effect.

[No. AV.28060/024/2004-VE]

K. K. PANT, Under Secy.

उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

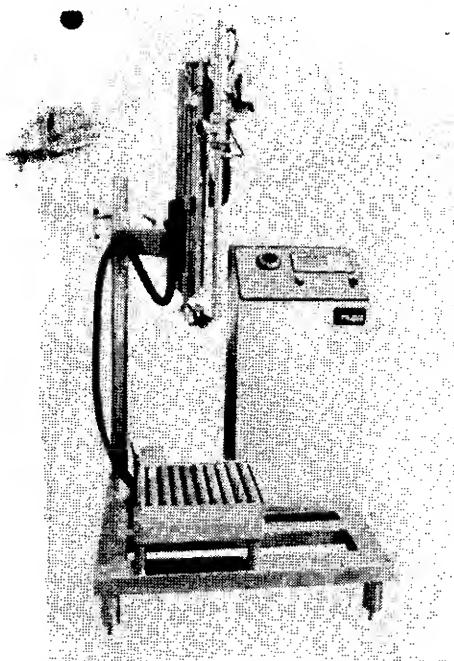
(उपभोक्ता मामले विभाग)

नई दिल्ली, 8 नवम्बर, 2005

का.आ. 4477.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स विजेन्ट्रा इंडिया प्राइवेट लिमिटेड, 30 वेगा हीरानन्दानी इस्टेट, ठाणे, (वेस्ट)-400067, महाराष्ट्र द्वारा निर्मित “बी जेड-डी एफ एस” शृंखला के अंकक सूचन सहित स्वतःसूचक, अस्वचालित भारमितीय भरण उपकरण के मॉडल का, जिसके ब्रॉड का नाम “‘व्हे-ब्रिज” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/653 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी और प्रकाशित करती है।

उक्त मॉडल विकृति गेज प्रकार भार सेल आधारित स्वचालित (भारमितीय भरण) उपकरण है। इसकी अधिकतम क्षमता 300 कि.ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 50 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपर्युक्त करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। यह मल्टीपल नोजल के द्वारा एक मिनट में अधिकतम 5 बैग भरता है। यह मशीन सहज प्रवाह वाले उत्पाद जैसे-तेल, दूध, फलों के रस, बीज, दालें, अनाज इत्यादि भरने के लिए बनाई गई है।



स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री, से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के स्वचालित भारमितीय भरण तोलन उपकरण भी शामिल होंगे जो 10 कि.ग्रा. से 500 कि. ग्रा. तक की रेंज के हों।

[फा. सं. डब्ल्यू एम-21(15)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION

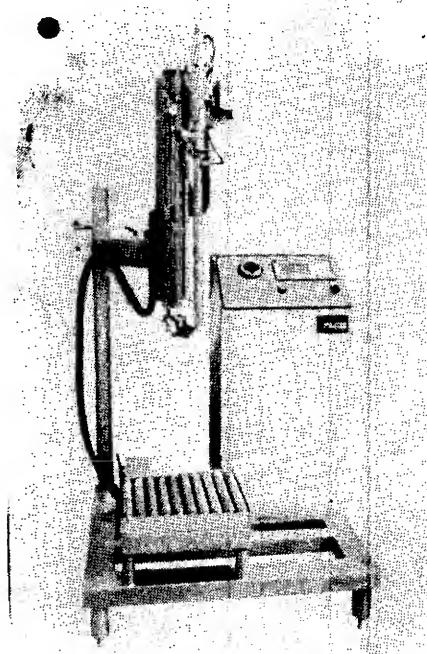
(Department of Consumer Affairs)

New Delhi, the 8th November, 2005

S.O. 4477.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of automatic gravimetric filling instrument of 'BZ-DFS' series with brand name 'WEIGH-BIZ' (hereinafter referred to as the said Model), manufactured by M/s Bizerba India Private Limited, 30, Vega, Hiranandani Estate, Thane (West)-400607, Maharashtra and which is assigned the approval mark IND/09/2005/653;

The said model is a strain gauge type load cell based Automatic Gravimetric filling instrument. Its maximum capacity is 300kg. The verification scale interval (ϵ) is 50g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply; It has a maximum fill rate of 5 bags per minute through multiple nozzle. The machine is designed for filling free flowing products like oil, milk, fruit juice, seeds, pulses, grains etc.



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the automatic Gravimetric filling instruments of similar make, accuracy and performance of same series with maximum capacity in the range of 10kg to 500kg manufactured by the same manufacturer in accordance with the same principle, design, accuracy and with the same materials with which the said approved Model has been manufactured.

[F. No. WM-21(15)/2005]

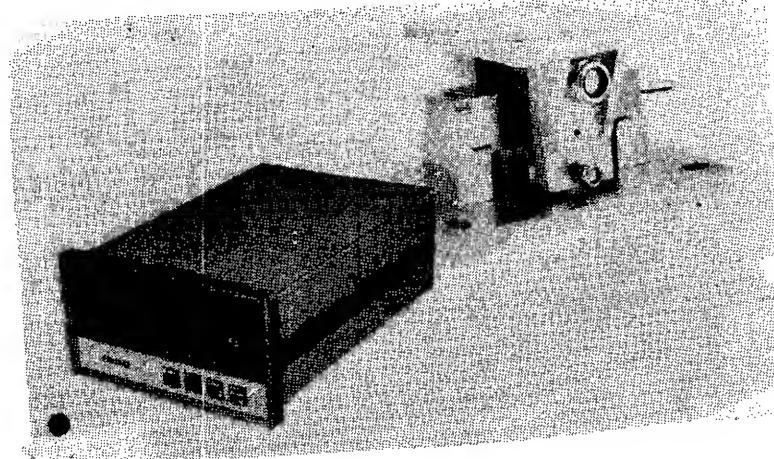
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 8 नवम्बर, 2005

का.आ. 4478.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स बिजेब्रा इंडिया प्राइवेट लिमिटेड, 30 वेगा हीरानन्दनी इस्टेट, डाणे, (वेस्ट)-400067, महाराष्ट्र द्वारा निर्मित “बी जेड-टी डब्ल्यू एस” शृंखला के अंकक सूचन सहित, स्वतःसूचक अस्वचालित भारमितीय भरण उपकरण के मॉडल का, जिसके ब्रांड का नाम “व्हे-ब्रिज” है (जिसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/654 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल विकृत गेज प्रकार भार सेल आधारित स्वचालित (भारमितीय भरण) उपकरण है। इसकी अधिकतम क्षमता 1500 कि.ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 500 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। वैक्यूम फ्लोरोरेसेंट डिस्ले (वी एफ डी) प्रदर्श तोलन परिणाम उपर्युक्त करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। यह मशीन सभी प्रकार के द्रव तथा हल्के गाढ़े द्रव पदार्थ भरने के लिए डिजाइन की गई है।



स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के स्वचालित भारमितीय भरण तोलन उपकरण भी शामिल होंगे जो 50 कि.ग्रा. से 5000 कि.ग्रा. तक स्वचालित भारमितीय भरण की क्षमता के हैं।

[फा. सं. डब्ल्यू एम-21(15)/2005]

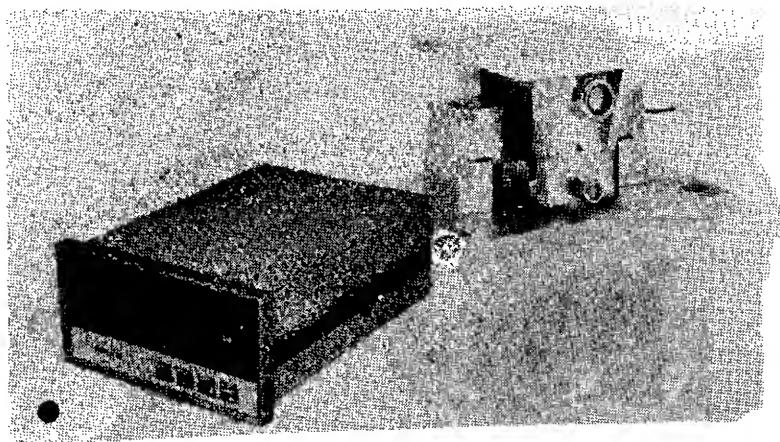
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 8th November, 2005

S.O. 4478.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of automatic gravimetric filling instrument of 'BZ-TWS' series with brand name 'VEIGH-BIZ' (hereinafter referred to as the said Model), manufactured by M/s Bizerba India Private Limited, 30, Vega, Hiranandani Estate, Thane (West)-400607, Maharashtra and which is assigned the approval mark IND/09/2005/654;

The said model is a strain gauge type load cell based Automatic Gravimetric filling instrument. Its maximum capacity of 1500kg. The verification scale interval (e) is 500g. It has a tare device with a 100 per cent subtractive retained tare effect. The Vacuum Fluorescent Display (VFD) indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply. The machine is designed for filling of all type liquids and semi liquids etc.



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the Automatic Gravimetric filling instruments of similar make, accuracy and performance of same series with maximum capacity in the range of 50kg to 5000kg manufactured by the same manufacturer in accordance with the same principle, design, accuracy and with the same materials with which the said approved Model has been manufactured.

[F. No. WM-21(15)/2005]

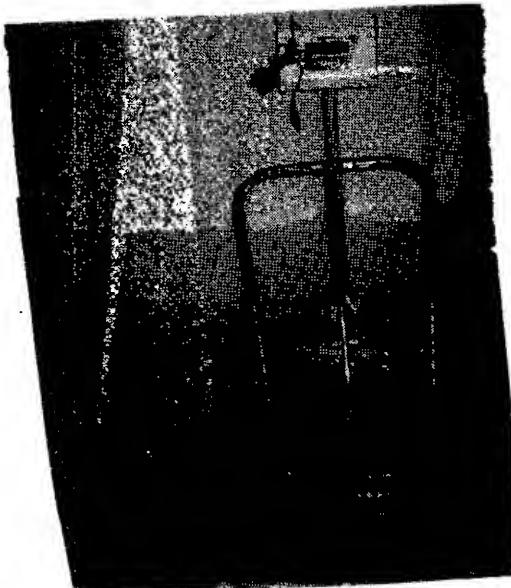
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 8 नवम्बर, 2005

का.आ. 4479.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बाट की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, ऐसर्स नेशनल इलैक्ट्रॉनिक्स एंड कंट्रोल्स, गाला नं. 27, एन जे इंडस्ट्रियल इस्टेट, चिंचपाड़ा वासी (ई) जिला ठाणे, महाराष्ट्र द्वारा निर्मित उच्च यथार्थता वर्ग (यथार्थता-वर्ग ॥) वाले “पी डब्ल्यू ई-11” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल को, जिसके ब्रांड का नाम “नेशनल” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/941 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल (नीचे दी गई आकृति देखें) विकृत गेज प्रकार भार सेत आधारित अस्वचालित (टेबल टॉप प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 11 कि.ग्रा. और न्यूनतम क्षमता 50 ग्राम है। सत्यापन मापमान अंतराल (ई) का मान 1 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपर्युक्त करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टार्टिप्पा प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा:

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री, से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी शामिल होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक 'ई' मान के लिए 100 से 5,000 तक की रेंज में सत्यापन मापमान मान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के 'ई' मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मान अंतराल सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और 'ई' मान 1×10^6 , 2×10^6 या 5×10^6 के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(70)/2005]

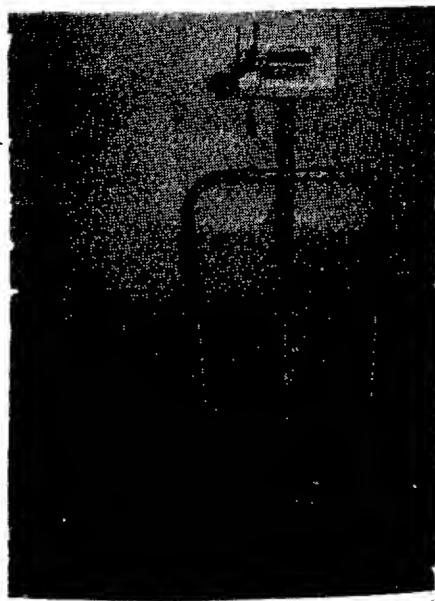
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 8th November, 2005

S.O. 4479.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table Top type) with digital indication of 'PWE-11' series of high accuracy (Accuracy class-II) with brand name 'NATIONAL' (hereinafter referred to as the said Model), manufactured by M/s National Electronics and Controls, Gala No. 27, N.J. Industrial Estate, Chinchpada Vasai (E), Distt. Thane, Maharashtra and which is assigned the approval mark IND/09/20/2005/941;

The said model (see the figure given below) is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 11 kg and minimum capacity of 50g. The verification scale interval (e) is 1g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The Instrument operates on 230 Volts and 50 Hertz alternative current power supply;



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make and performance of same series with maximum capacity up to 50kg and with number of verification scale interval (n) in the range of 100 to 5000 for ' e ' value of 1mg to 50 mg and with number of verification scale interval (n) in the range of 5000 to 50,000 for ' e ' value of 100 mg or more and with ' e ' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(70)/2005]

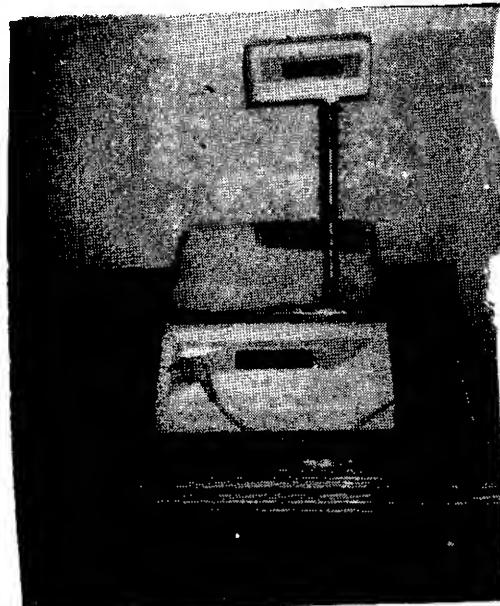
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 8 नवम्बर, 2005

का.आ. 4480.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स नेशनल इलैक्ट्रॉनिक्स एंड कॉर्पोरेशन, गाला नं. 27, एन जे इंडस्ट्रियल इस्टेट, चिंचपाड़ा वासी (ई) जिला ठाणे, महाराष्ट्र द्वारा निर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग III) वाले "पी डब्ल्यू टी-30" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "नेशनल" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/942 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल (नीचे दी गई आकृति देखें) विकृति गेज प्रकार भार सेल आधारित अस्वचालित (टेबल टॉप प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्राम है। सत्यापन मापमान अंतराल (ई) का मान 5 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपर्युक्त करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी शामिल होंगे जो 100 मि.ग्रा. से 2 ग्राम तक 'ई' मान के लिए 100 से 10,000 तक की रेज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के 'ई' मान के लिए 500 से 10,000 तक की रेज में सत्यापन मान अंतराल सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और 'ई' मान 1×10^6 , 2×10^6 या 5×10^6 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(70)/2005]

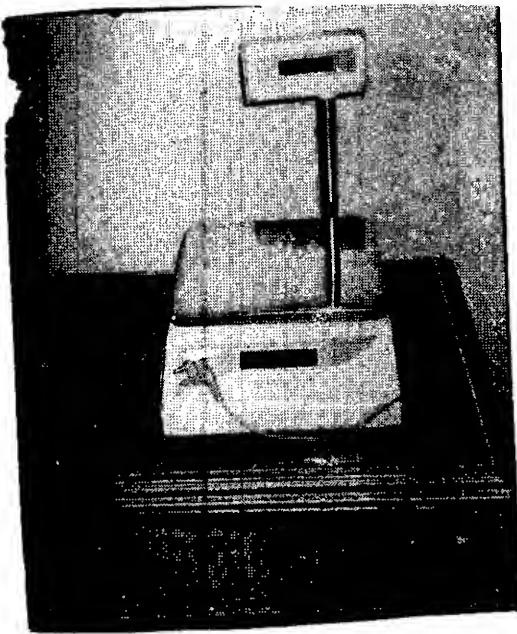
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 8th November, 2005

S.O. 4480.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic (Table Top type) weighing instrument with digital indication of 'PWT-30' series of medium accuracy (Accuracy class-III) with brand name 'NATIONAL' (hereinafter referred to as the said Model), manufactured by M/s. National Electronics and Controls, Gala No. 27, N.J. Industrial Estate, Chinchpada Vasai (E), Distt. Thane, Maharashtra and which is assigned the approval mark IND/09/05/942;

The said model (see the figure given below) is a strain gauge type load cell based non-Automatic weighing instrument (Table top type) with a maximum capacity of 30 kg. and minimum capacity of 100g. The verification scale interval (e) is 5 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply;



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100 mg. to 2g. or with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(70)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 8 नवम्बर, 2005

का.आ. 4481.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

उतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स नेशनल इलैक्ट्रोनिक्स एंड कंट्रोल्स, गाला नं. 27, एन जे इंडस्ट्रियल इस्टेट, चिंचपाड़ा वासी (ई) जिला ठाणे, महाराष्ट्र द्वारा निर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग I-II) वाले “पी डब्ल्यू पी-500” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “नेशनल” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/943 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी और प्रकाशित करती है।

उक्त मॉडल (नीचे दी गई आकृति देखें) विकृत गेज प्रकार भार सेल आधारित अस्वचालित (टेबल टॉप प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 500 कि.ग्रा. और न्यूनतम क्षमता 1 कि. ग्राम है। सत्यापन मापमान अन्तराल (ई) का मान 50 ग्राम है। इसमें एक आधेयतुलन युक्त है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टार्मिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री, से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी शामिल होंगे जो 5 ग्रा. या उससे अधिक के 'ई' मान के लिए 50 कि. ग्रा. से 10,000 तक की रेंज में सत्यापन मान अन्तराल सहित 50 कि.ग्रा. से 1000 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और 'ई' मान 1×10^8 , 2×10^8 या 5×10^8 के हैं, जो धनात्मक या ऋणात्मक पूर्णक या शून्य के समतुल्य हैं।

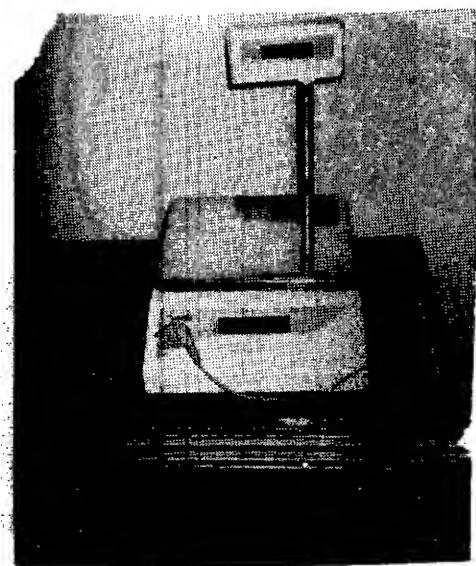
[फा. सं. डब्ल्यू एम-21(70)/2005]
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 8th November, 2005

S.O. 4481.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of the self indicating, non-automatic (Platform type) weighing instrument with digital indication of 'PWP-500' series of medium accuracy (Accuracy class-III) with brand name 'NATIONAL' (hereinafter referred to as the said Model), manufactured by M/s. National Electronics and Controls, Gala No. 27, N.J. Industrial Estate, Chinchpada Vasai (E), Distt. Thane, Maharashtra and which is assigned the approval mark IND/09/05/943;

The said model (see the figure given below) is a strain gauge type load cell based weighing instrument with a maximum capacity of 500 kg and minimum capacity of 1kg. The verification scale interval (e) is 50g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of same series with maximum capacity above 5kg and up to 1000 kg and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(70)/2005]
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 8 नवम्बर, 2005

का.आ. 4482.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स सूर्या स्केल, ए-1/35, रामाकृष्ण नगर, शनि मंदिर चौक, एस एन द्वूबे रोड, रावल पावर, दहीसर (पूर्वी) मुंबई महाराष्ट्र द्वारा निर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले “एस एल टी” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “सूर्या स्केल” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/706 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी और प्रकाशित करती है।

उक्त मॉडल एक विकृति गेज प्रकार का लोड सेल आधारित अस्वचालित (टेबल टॉप प्रकार का) तोलन उपकरण है। इसकी अधिकतम क्षमता 300 ग्रा. और न्यूनतम क्षमता 400 मि. ग्राम है। सत्यापन मापमान अंतराल (ई) का मान 20 मि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट के मुद्रांकन के अंतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. से 50 मि. ग्रा. तक ‘ई’ मान के लिए 100 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के ‘ई’ मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मान (एन) अंतराल सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और ‘ई’ मान 1×10^4 , 2×10^4 या 5×10^4 के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

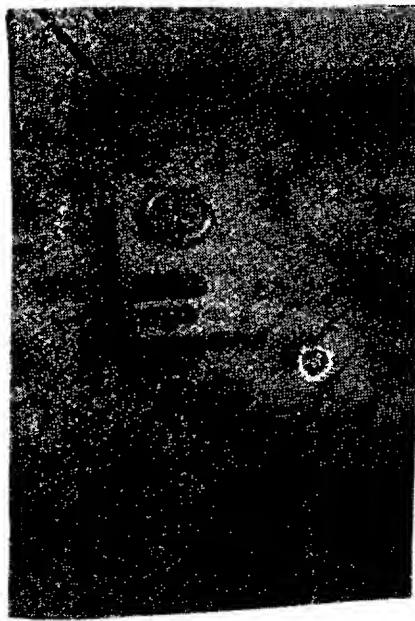
[फा. सं. डब्ल्यू एम-21(145)/2004]
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 8th November, 2005

S.O. 4482.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of 'SLT' series of high accuracy (Accuracy class-II) and with brand name 'Surya Scale' (hereinafter referred to as the said Model), manufactured by M/s. Surya Scale, A-1/35, Radha Krishan Nagar, Shani Mandir Chouk, S.N.Dube Road, Rawal Pada, Dahisar (E), Mumbai, Maharashtra and which is assigned the approval mark IND/09/2005/706:

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 300g and minimum capacity of 400mg. The verification scale interval (*e*) is 20mg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts and 50 Hertz alternative current power supply;



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg with verification scale interval (*n*) in the range of 100 to 50,000 for '*e*' value of 1mg to 50mg and with verification scale interval (*n*) in the range of 5000 to 50,000 for '*e*' value of 100mg or more and with '*e*' value of 1×10^k , 2×10^k or 5×10^k , where *k* is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(145)/2004]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 8 नवम्बर, 2005

का.आ. 4483.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स सूर्या स्केल, ए-1/35, रामकृष्ण नगर, शनि मंदिर चौक, एस एन द्वे रोड, रावल पाडा, दहीगर (पूर्वी) मुंबई, महाराष्ट्र द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले “एस एच टी” शृंखला के अंकक सूक्ष्म सहित, अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके डांड का नाम “सूर्या स्केल” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/05/707 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी और प्रकाशित करती है।

उक्त मॉडल विकृति गेज प्रकार का भार सेल आधारित अस्वचालित (टेबल टॉप प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 10 कि.ग्रा. और न्यूनतम क्षमता 40 ग्राम है। सत्यापन मापमान अन्तराल (ई) का मान 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारितं आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टार्टिंग स्लेट को मुद्रांकित करने के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि “उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मात्रत विनिर्मित किया गया है, विनिर्मित उसी शृंखला के वैसे ही भेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक ‘ई’ मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के ‘ई’ मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मान सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और ‘ई’ मान 1×10^4 , 2×10^4 या 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूर्णक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(145)/2004]
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 8th November, 2005

S.O. 4483.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of 'SHT' series of medium accuracy (Accuracy class-III) and with brand name "Surya Scale" (hereinafter referred to as the said model), manufactured by M/s Surya Scale, A-1/35, Radha Krishan Nagar, Shani Mandir Chouk, S.N.Dube Road, Rawal Pada, Dahisar (E), Mumbai, Maharashtra and which is assigned the approval mark IND/09/05/707;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 10 kg. and minimum capacity of 40g. The verification scale interval (e) is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity up to 50kg. with verification scale interval (n) in the range of 100 to 10,000 for ' e ' value of 100mg to 2g. and with verification scale interval (n) in the range of 500 to 10,000 for ' e ' value of 5g. or more and with ' e ' value of 1×10^k , 2×10^k or 5×10^k , k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-2I(145)/2004]

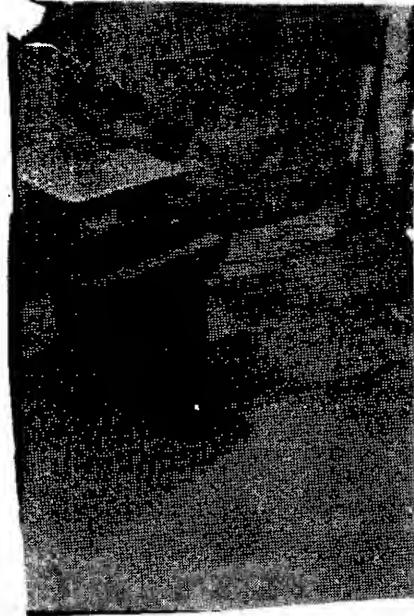
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 8 नवम्बर, 2005

का.आ. 4484.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह सम्माधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि संगतार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेंगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स सूर्या स्केल, ऐ-1/35, रामाकृष्ण नगर, मंदिर चौक, एस एन दूबे रोड, रावल पावर, दहोगर (पूर्वी) मुंबई महाराष्ट्र द्वारा निर्मित उच्च यथार्थता (यथार्थता वर्ग 11) वाले “एस एच पी” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेट फार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम “सूर्या स्केल” है (जिसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/708 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी और प्रकाशित करती है।

उक्त मॉडल एक विकृति गेज प्रकार का लोड सेल आधारित तोलन उपकरण (प्लेट फार्म प्रकार) का है। इसकी अधिकतम क्षमता 300 कि.ग्रा. और न्यूनतम क्षमता 1 कि. ग्राम है। सत्यापन मापमान अन्तराल (ई) का मान 20 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सोलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के ‘ई’ मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मान (एन) अंतराल सहित 50 कि.ग्रा. से अधिक और 1000 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और ‘ई’ मान 1×10^4 , 2×10^4 या 5×10^4 के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

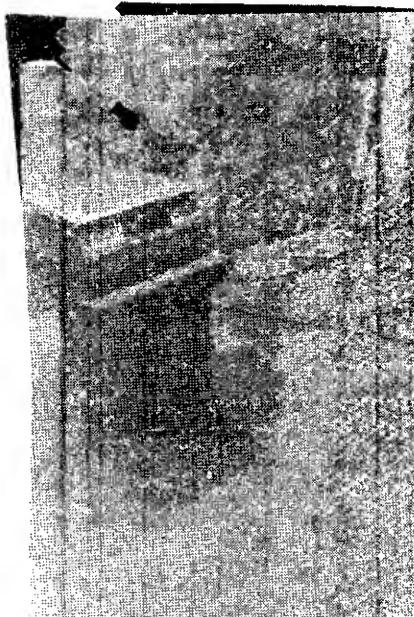
[फा. सं. डब्ल्यू एम-21(145)/2004]
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 8th November, 2005

S.O. 4484.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of 'SHP' series of medium accuracy (Accuracy class-II) with brand name 'Surya Scale' (hereinafter referred to as the said Model), manufactured by M/s Surya Scale, A-1/35, Radha Krishan Nagar, Shani Mandir Chowk, S.N.Dube Road, Rawal Pada, Dahisar (E), Mumbai, Maharashtra and which is assigned the approval mark IND/09/05/708;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 300 kg and minimum capacity of 1kg. The verification scale interval (e) is 20g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternative current power supply:



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg and up to 1000kg with verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

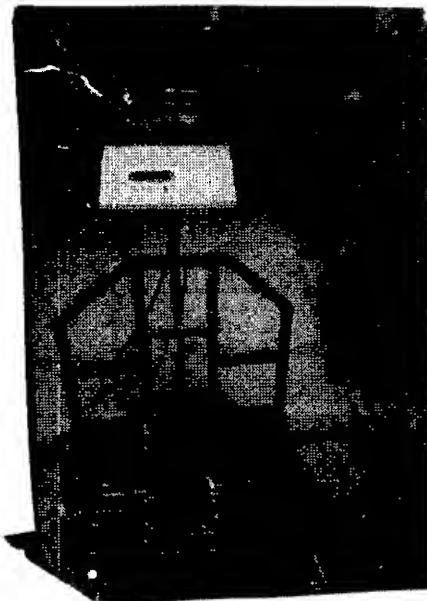
[F. No. WM-21(145)/2004]
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 8 नवम्बर, 2005

का.आ. 4485.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स सूर्यो स्केल, ए-1/35, रामाकृष्ण नगर, मंदिर चौक, एस एन द्वृके रोड, रावल पावर, दहीगर (पूर्वी) मुंबई महाराष्ट्र द्वारा निर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग III) वाले “एस एच पी” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम “सूर्यो स्केल” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/05/709 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल एक विकृति गेज प्रकार का लोड सेल आधारित तोलन उपकरण (प्लेटफार्म प्रकार का) है। इसकी अधिकतम क्षमता 300 कि.ग्रा. और न्यूनतम क्षमता 1 कि. ग्राम है। सत्यापन मापमान अन्तराल (ई) का मान 50 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपर्युक्त करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री, से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के ‘ई’ मान के लिए 500 से 10,000 तक की रेज में सत्यापन मान (एन) अंतराल सहित 50 कि.ग्रा. से अधिक और 1000 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और ‘ई’ मान 1×10^4 , 2×10^4 या 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

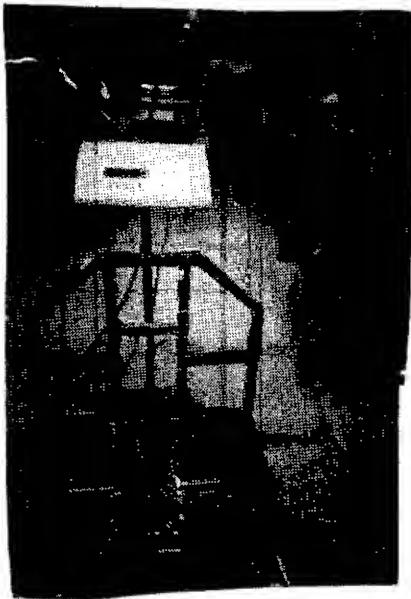
[फा. सं. डब्ल्यू एम-21(145)/2004]
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 8th November, 2005

S.O. 4485.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of 'SHP' series of medium accuracy (Accuracy class-III) and with brand name 'Surya Scale' (hereinafter referred to as the said Model), manufactured by M/s Surya Scale, A-1/35, Radha Krishan Nagar, Shani Mandir Chouk, S. N. Dube Road, Rawal Pada, Dahisar (E), Mumbai, Maharashtra and which is assigned the approval mark IND/09/05/709;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 300 kg and minimum capacity of 1kg. The verification scale interval (e) is 50g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternative current power supply;



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

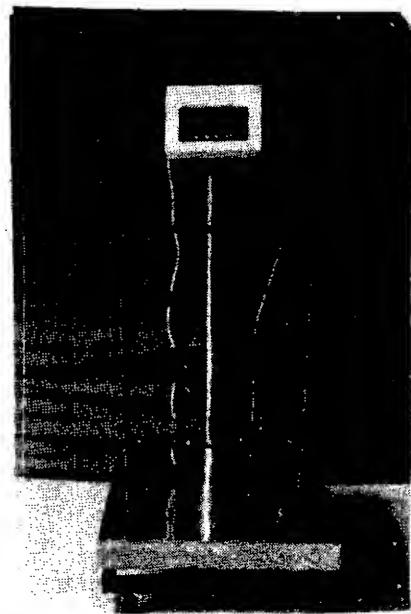
Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg and above 1000kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(145)/2004]
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 9 नवम्बर, 2005

का. आ. 4486.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स माडन बिजनेस इक्विपमेंट एंड सर्विस प्राइवेट लिमिटेड, प्लाट सं. 646, इंडस्ट्रियल एरिया, फेज-IX, सासनगर, मोहाली, जिला रोपड़, पंजाब द्वारा निर्मित उच्च यथार्थता (यथार्थता वर्ग- II) वाले “एस एन ई डब्ल्यू” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम “लक्ष्मी सेमसन” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/05/747 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृति गेज प्रकार का लोड सेल आधारित तोलन उपकरण (प्लेटफार्म प्रकार का) है। इसकी अधिकतम क्षमता 300 कि.ग्रा. है और न्यूनतम क्षमता 1 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 20 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपर्युक्त करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

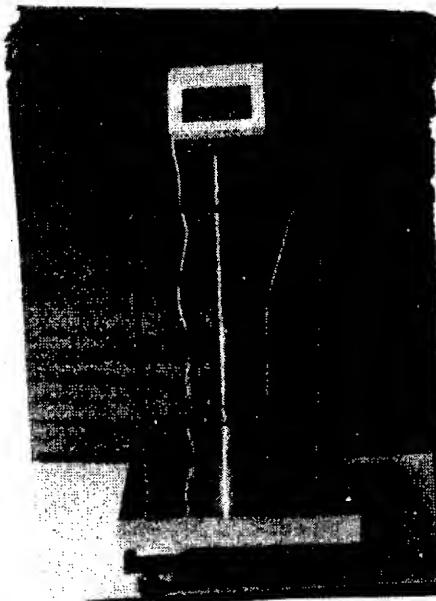
और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. या उससे अधिक के “ई” मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मान (एन) अंतराल सहित 50 कि. ग्रा. से अधिक और 1000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^4 , 2×10^4 या 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूणीक त्री शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(191)/2003]
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 9th November, 2005

S.O. 4486.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of "SNEW" series of high accuracy (Accuracy class-II) and with brand name "LAKSHMI SAMSON" (hereinafter referred to as the said Model), manufactured by M/s. Modern Business Equipment & Services Private Limited, Plot No. 646, Industrial Area, Phase-IX, Sas Nagar, Mohali, Distt. Ropar, Punjab and which is assigned the approval mark IND/09/05/747;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 300 kg. and minimum capacity of 1 kg. The verification scale interval (*e*) is 20g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent from opening of the machine for fraudulent practices.

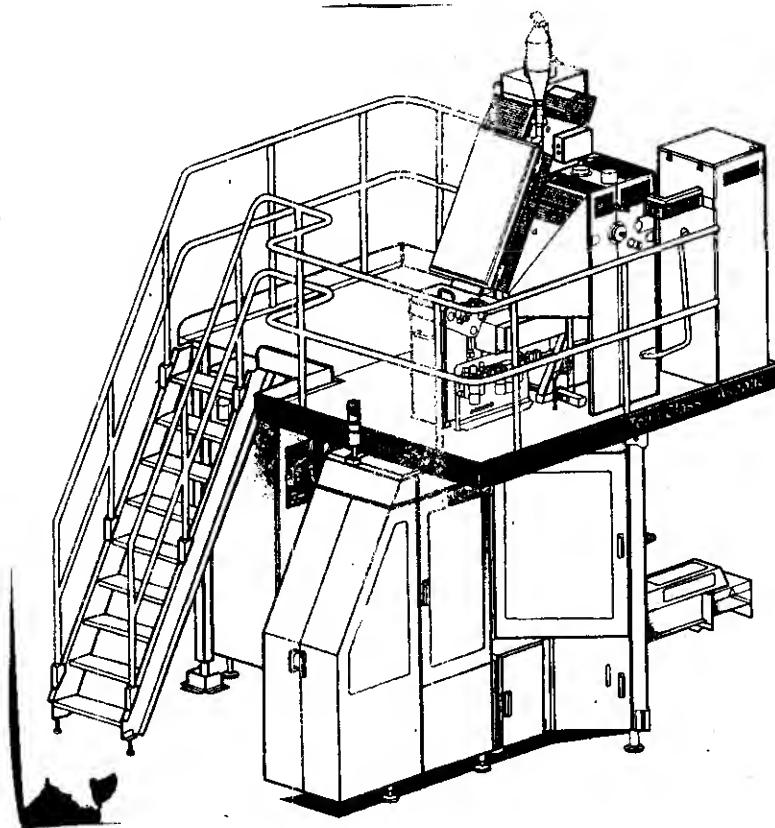
Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, and performance of same series with maximum capacity ranging above 50 kg to 1000 kg and with number of verification scale interval (*n*) in the range of 5000 to 50,000 for '*e*' value of 100mg or more and with '*e*' value of 1×10^k , 2×10^k or 5×10^k , *k* being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design accuracy and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(191)/2003]
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 9 नवम्बर, 2005

का.आ. 4487.--केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रत्युत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपर्युक्तों के अनुरूप है और इस बाट की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स टेट्रा पैक इंडिया प्रा. लि., मैकेयर टावर, भूतल, वाकडेवाडी, शिवाजी नगर, पुणे-411005 द्वारा निर्मित “टी सी ए-65-150-2000” शृंखला को भरण मशीन (भरण और मुद्रांकन से अनुमापी मशीन) के मॉडल का, जिसके ब्रांड का नाम “टेट्रा पैक” है (जिसे इसमें उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/05/701 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल स्वाचलित भरण मशीन (भरण और मुद्रांकन से अनुमापी मशीन प्रकार की) है। इसकी अधिकतम क्षमता 150 मि.ली. या समतुल्य भार की है। इसकी भरण दर 10,500 पैकेट प्रति घंटा है। मशीन को मिनरल वाटर, दूध, सुप्रेय, जूस आदि जैसे अविसक्स मुक्त प्रवाह द्वाले द्रव उत्पादों को भरने के लिए डिजाइन किया गया है।

स्टार्मिंग प्लेट को मुद्रांकित करने के अतिरिक्त कपटपूर्ण व्यवहारों के लिए मशीन को खोलने से रोकने के लिए सौलंबंद भी किया जाएगा;

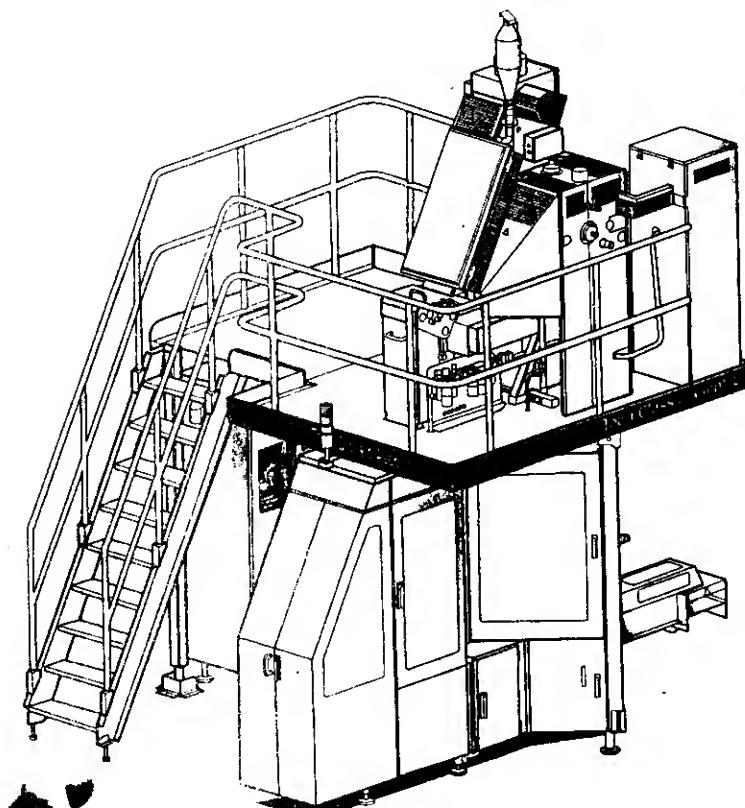
और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन की स्वचालित भरण मशीन भी होंगी जिनकी अधिकतम क्षमता 200 मि.ली. की है।

[फा. सं. डब्ल्यू एम-21(171)/2003]
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 9th November, 2005

S.O. 4487.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of filling machine (Volumetric form fill and seal machine) of "TCA-65-150-200" series with brand name "Tetra Pak" (herein referred to as the said model), manufactured by M/s. Tetra Pak India Pvt. Ltd., Mayfair Towers, Ground Floor, Wakdewadi, Shivajinagar, Pune-411005 and which is assigned the approval mark IND/09/05/701;



The model is an automatic filling machine (Volumetric form fill and seal machine type). Its maximum capacity is 150 ml. or equivalent weight. It has a maximum fill rate of 10500 packs per hour. The machine is designed for filling free flowing non-viscous liquid products like mineral water, milk, beverage, juice etc.

In addition to sealing the stamping plate, sealing shall also be done to prevent from opening of the machine for fraudulent practices.

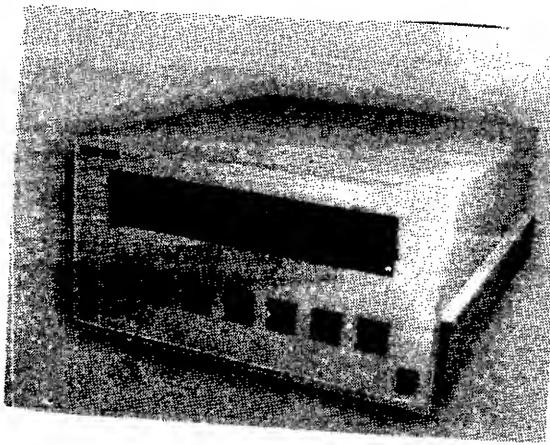
Further, in exercise of the powers conferred by sub-section (12) of the said Section, the Central Government hereby declares that this certificate of approval of the said model shall also cover the automatic filling machines of similar make, accuracy and performance of the same series with the maximum capacity up to 200 ml manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(171)/2003]
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 9 नवम्बर, 2005

का. आ. 4488.—केन्द्रीय सरकार का, विहित प्रधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स सारटोरियस मैकेट्रोनिक्स इण्डिया प्राइवेट लिमिटेड, सं. 10, के आई ए डी बी इण्डस्ट्रीयल एरिया, तीसरा फेज, छठा मैन, पीनया, बंगलौर-560058 द्वारा निर्मित उच्च यथार्थता (यथार्थता वर्ग III) वाले “पी आर” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (तोल सेतु प्रकार) के मॉडल का, जिसके ब्रांड का नाम “सारटोरियस” है (जिसे इसमें इसके पश्चात उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/05/445 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृति गेज प्रकार का लोड सेल आधारित अस्वचालित (तोल सेतु प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 टन है और न्यूनतम क्षमता 100 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 5 कि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। निवार्त प्रतिदिव्य प्रदर्श (बी एफ डी) तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टम्पिंग प्लेट की मुद्रांकित करने के अतिरिक्त कपटपूर्ण व्यवहारों के लिए मशीन को खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

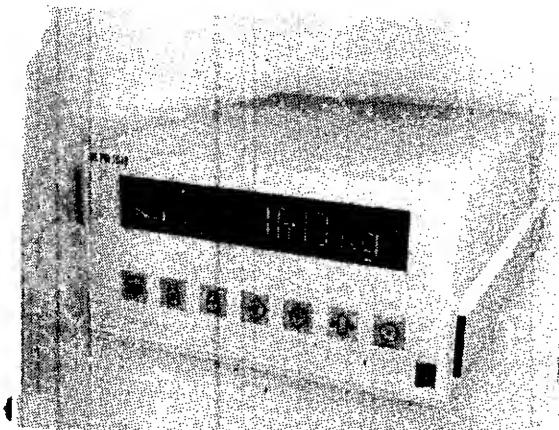
और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी शृंखला के वैसे ही मैक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 कि. ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अन्तराल (एन) सहित 5 टन से अधिक और 100 टन तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^4 , 2×10^4 या 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूर्णक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(183)/2004]
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 9th November, 2005

S.O. 4488. —Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of non-automatic weighing instrument (Weighbridge type) with digital indication of "PR" series of medium accuracy (accuracy class-III) and with brand name "SARTORIUS" (herein referred to as the said Model), manufactured by M/s. Sartorius Mechatronics India Private Limited, No. 10, KIADB Industrial Area, 3rd Phase, 6th Main, Peenya, Bangalore-560058, Karnataka and which is assigned the approval mark IND/09/05/445;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Weighbridge type) with a maximum capacity of 30 tonne and minimum capacity of 100 kg. The verification scale interval (*e*) is 5 kg. It has a tare device with a 100 percent subtractive retained tare effect. The Vacuum Fluorescent Display (VFD) indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

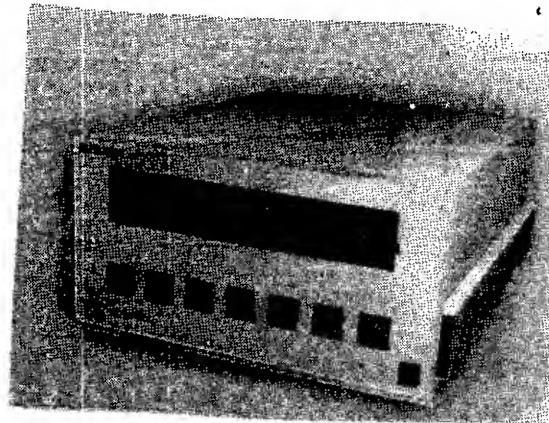
Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and up to 100 tonne with verification scale interval (*n*) in the range of 500 to 10,000 for '*e*' value of 5 kg or more and with '*e*' value of 1×10^k , 2×10^k or 5×10^k where, *k* is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principles, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(183)/2004]
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 9 नवम्बर, 2005

का. आ. 4489.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रसुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स सारटोरियस मैकेनोनिक्स इण्डिया प्राइवेट लिमिटेड, सं. 10, के आई ए डी बी इण्डस्ट्रीयल एरिया, तीसरा फैज, छठा मैन, पीनया, बंगलौर-560058 द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले “पी आर” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (तोल सेतु प्रकार) के मॉडल का, जिसके ब्रांड का नाम “सारटोरियस” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/05/446 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृति गेज प्रकार का लोड सेल आधारित अस्वचालित (तोल सेतु प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 60 टन और न्यूनतम क्षमता 400 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 20 कि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत अनुकलनात्मक धारित आधेयतुलन प्रभाव है। निवात प्रतिदिप्ति प्रदर्श (बी एफ डी) तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रव्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्याम्पिंग प्लेट को मुद्रांकित करने के अतिरिक्त कपटपूर्ण व्यवहारों के लिए मशीन को खोलने से रेकने के लिए सीलबंद भी किया जाएगा।

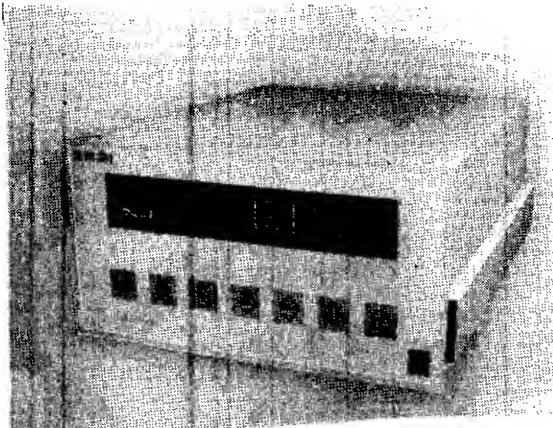
और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 कि. ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अन्तराल (एन) सहित 5 टन से अधिक और 200 टन तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^k , 2×10^k या 5×10^k , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शृंख के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(183)/2004]
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 9th November, 2005

S.O. 4489.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of non-automatic weighing instrument (Weighbridge type) with digital indication of "PR" series of medium accuracy (Accuracy class-III) and with brand name "SARTORIUS" (herein referred to as the said Model), manufactured by M/s. Sartorius Mechatronics India Private Limited, No. 10, KIADB Industrial Area, 3rd Phase, 6th Main, Peenya, Bangalore-560 058, Karnataka and which is assigned the approval mark IND/09/05/446;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Weighbridge type) with a maximum capacity of 60 tonne and minimum capacity of 400 kg. The verification scale interval (*e*) is 20 kg. It has a tare device with a 100 percent subtractive retained tare effect. The Vacuum Fluorescent display (VFD) indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and up to 200 tonne with verification scale interval (*n*) in the range of 500 to 10,000 for '*e*' value of 5 kg. or more and with '*e*' value of 1×10^k , 2×10^k or 5×10^k where *k* is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principles, design and with the same materials with which, the said approved model has been manufactured.

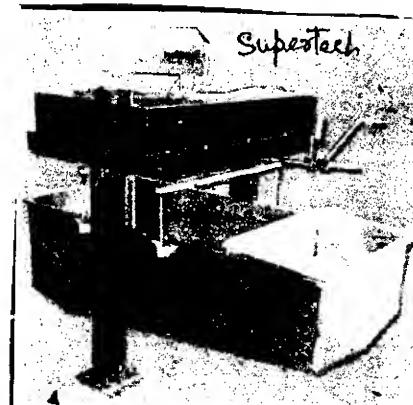
[F. No. WM-21(183)/2004]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 11 नवम्बर, 2005

का. आ. 4490.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुलूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स सुपर वेइंग सिस्टम, 187-ए, हापुड़ रोड, गुरुद्वारे के पास, गाजियाबाद-201001 द्वारा विनिर्मित मध्य यथार्थता (यथार्थता वर्ग III) वाले “इं एम डब्ल्यू पी” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (मिल्क वेइंग मशीन-हैंगिंग प्रकार) के मॉडल का, जिसके ब्रॉड का नाम “सुपर टेक” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/957 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृत गोज प्रकार का लोड सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 500 कि.ग्रा. और न्यूनतम क्षमता 10 कि. ग्राम है। सत्यापन मापमान अंतराल(ई) 500 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग स्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 कि.ग्रा. की रेंज में सत्यापन मान अंतराल सहित 1000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^4 , 2×10^4 या 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

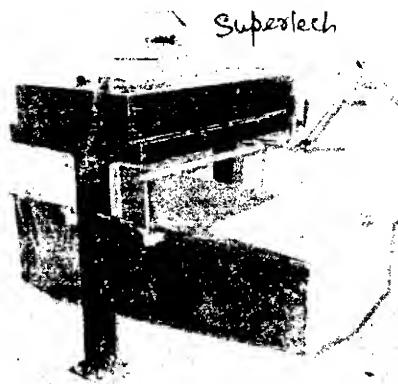
[फा. सं. डब्ल्यू एम-21(268)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 11th November, 2005

S.O. 4490. —Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of the self-indicating, non-automatic, (Milk Weighing Machine—Hanging type) weighing instrument with digital indication of series 'EM WP' of medium accuracy (Accuracy class-III) and with brand name "Super Tech" manufactured by M/s. Super Weighing System, 187-A, Hapur Road, Near Gurudwara, Ghaziabad-201 001 and which is assigned the approval mark IND/09/2005/957;



The said model (see the figure given below) is a strain gauge type load cell based weighing instrument with a maximum capacity of 500 kg. and minimum capacity of 10 kg. The verification scale interval (e) is 500 g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts. and 50 Hertz alternate current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of same series with maximum capacity up to 1000 kg. and with number of verification scale interval (n) in the range of 500 to 10,000 for ' e ' value of 5 g. or more and with ' e ' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer with the same principle, design and with the same materials with which the said approved model has been manufactured.

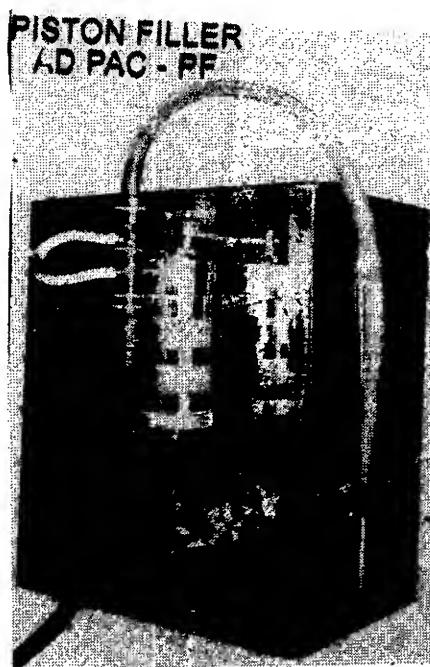
[F. No. WM-21(268)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 11 नवम्बर, 2005

का. आ. 4491.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए पैसर्स ए डी पॉल के, #649, ईश्वर चिट्ठीयार ले आउट, कोयम्बटूर-641102 द्वारा निर्मित “एडी पीए सी-पीएफ” शृंखला के स्वतः सूचक, स्वचालित भरण मशीन (पिस्टन फिलर) के मॉडल का, जिसके ब्रांड का नाम “एडीपीएसी” है (जिसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/05/716 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है



उक्त मॉडल, स्वचालित भरण मशीन (पिस्टन फिलर) है। इसकी क्षमता 2 ग्रा. से 2000 ग्रा. तक की या समतुल्य मात्रा की रेंज में है। इसमें तेल, ग्रीस, जैली, जैम, पेस्ट, दही, घी, वर्नेस्प्टि, पामोलिन तेल, रंग, डिस्टम्पर और अन्य मुक्त प्रवाह वाले द्रवों जैसे विसकान द्रव उत्पादों को भरने के लिए प्रयोग की गई पैकेटों को भरने और मुद्रांकन युक्ति के लिए बहु पथ प्रणाली है। यह सामग्री की प्रकृति और पैक के आकार पर निर्भर करते हुए 10-30 पाउच प्रति मिनट (लाभग) भरती है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग स्लेट को मुद्रांकित करने के अतिरिक्त कपटपूर्ण व्यवहारों के लिए मशीन को खोलने से रोकने के लिए सीलबंद भी किया जाता है।

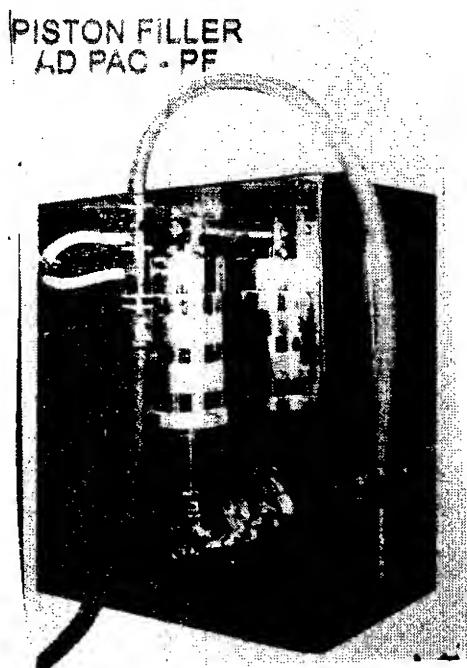
और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुपोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के भरण मशीन भी होंगे जिनकी रेंज 2 ग्रा. से 200 ग्रा. तक है।

[फा. सं. डब्ल्यू एम-21(309)/2003]
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 11th November, 2005

S.O. 4491.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of model of self indicating, Automatic Liquid Filling Machine (Piston Filler) of "AD PAC-PF" series with brand name "AD PAC" (herein referred to as the said model), manufactured by M/s. A.D. Paul & Co. # 649, Eswaran Chittiar Layout, Coimbatore-641 102, Tamil Nadu and which is assigned the approval mark IND/09/05/716;



The said model is an automatic filling machine (Piston Filler) with a capacity in the range of 2g to 2000g or equivalent volume. It has multi-track system for filling the packets and sealing device used for filling of viscous liquid products like oil, grease, jelly, jam, paste, curds, ghee, vanaspati, palmolien oil, paints, distemper and other free flowing liquids. It fills 10-30 pouches per minute (max) depending upon the size of the pack and nature of the material. The instrument operates on 230 Volts and 50-Hertz alternate current power supply.

In addition to sealing stamping plate, sealing shall also be done to prevent from opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make and performance of same series with capacity in the range of 2g to 2000g, manufactured by the same manufacturer in accordance with the same principle, design, accuracy and with the same materials with which, the said approved model has been manufactured.

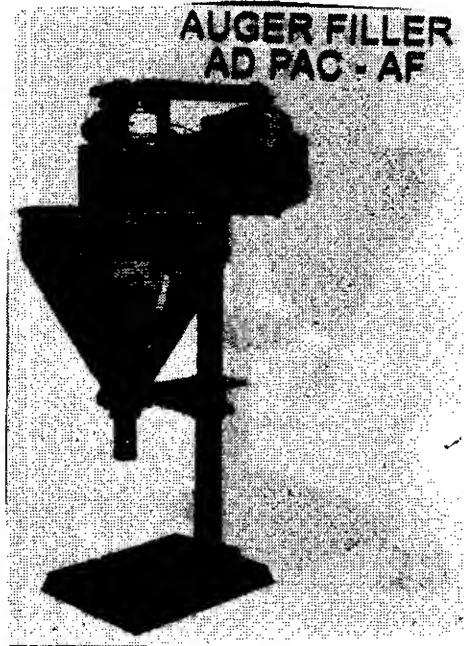
[F. No. WM-21(309)/2003]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 11 नवम्बर, 2005

का. आ. 4492.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स ए डी पॉल कंपनी, #649, ईश्वर चिट्टीयार ले आउट, कोयम्बटूर-641102 द्वारा निर्मित “एडी पीए सी-ए एफ” शृंखला के स्वतःसूचक, स्वचालित भरण मशीन (औंगर फिलर) के मॉडल का, जिसके ब्रांड का नाम “एडीपीएसी” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/717 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल स्वचालित भरण मशीन औंगरफिलर है। इसको क्षमता 2 ग्रा. से 100 ग्रा. तक की या समतुल्य मात्रा की रेंज में है। इसका उत्पादन 60 पाउच प्रति मिनट (अधिकतम) है जो पाउच की मात्रा और उत्पाद के विनिर्देशन पर निर्भर करता है उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। इसका उपयोग दुध पाउडर, काफी चूर्चा, गेहूं, आटा, मसाले, फर्माटयूटीकलचूर्चा, चंत मंजन, रसायनों आदि जैसे गैर मुक्त प्रवाह वाले उत्पादों को भरने के लिए किया जाता है।

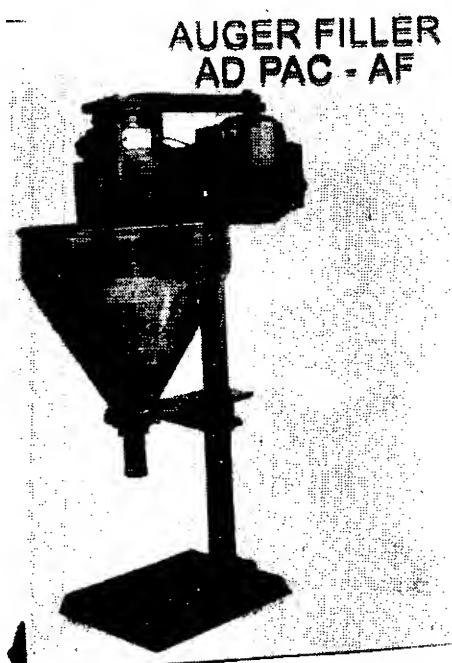
स्टाम्पिंग प्लेट को मुद्रांकित करने के अतिरिक्त कपटपूर्ण व्यवहारों के लिए मशीन को खोलने से रोकने के लिए सीलबंद भी किया जाएगा। और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी शृंखला के वैसे ही भेक, यथार्थता और कार्यपालन के भरण मशीन भी होंगे जिनकी रेंज 2 ग्रा. से 1000 ग्रा. तक है।

[फा. सं. डब्ल्यू एम-21(309)/2003]
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 11th November, 2005

S.O. 4492.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of self indicating Automatic Filling Machine (Auger Filler) of "AD PAC-AF" series with brand name "AD PAC" (herein referred to as the said model), manufactured by M/s A. D. Paul & Co., # 649, Eswaran Chittiar Layout, Coimbatore-641 102, Tamil Nadu and which is assigned the approval mark IND/09/05/717:



The said model is an automatic filling machine (Auger Filler) with a capacity in the range of 2g to 1000g or of equivalent volume depending upon the diameter of Auger screw. Its output is 60 pouches per minute (max.) depending upon the product specifications and quantity of the pouch. It operates on 230V and 50Hz alternative current power supply. It is used for filling the non-free flowing products such as milk powder, coffee powder, wheat flour, ground spices, pharmaceutical powder, tooth powder, chemicals etc.

In addition to sealing stamping plate, sealing shall also be done to prevent from opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the filling machines of similar make, accuracy and performance of same series with capacity ranging between from 2g. to 1000g., manufactured by the same manufacturer in accordance with the same principle, design, accuracy and with the same materials with which, the said approved model has been manufactured.

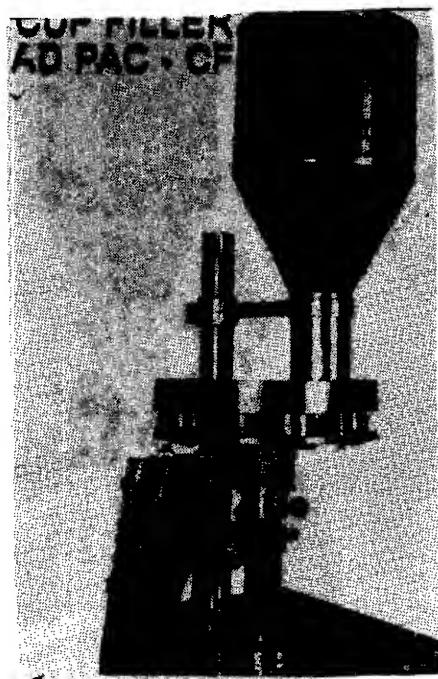
[F. No. WM-21(309)/2003]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 11 नवम्बर, 2005

का. आ. 4493.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स ए डी पॉल कं., #649, ईश्वर चिट्ठीयार ले आउट, कोयम्बटूर-641102 तामिलनाडु द्वारा निर्मित “एडी पीए सी-पीएफ” शृंखला के स्वतः सूचक, स्वचालित भरण मशीन (कप फिलर) के मॉडल का, जिसके ब्रांड का नाम “एडीपीएसी” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/05/718 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है



उक्त मॉडल स्वचालित भरण मशीन (कप फिलर) है। इसकी क्षमता 2 ग्रा. से 2000 ग्रा. तक की या समतुल्य मात्रा का रज भ ह। २८५। उपयोग चाय, मसाले, चीनी, चावल, अमक, सूजी, ग्रनल्स, डिटर्जेंट्स, फर्माश्यूटीकलस, बीज, कृषि उत्पादों आदि जैसे मुक्त प्रवाह वाले उत्पादों को भरने के लिए किया जाता है। यह 30 पाउच प्रति मिनट (अधिकतम) भरती है। । उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट को मुद्रांकित करने के अतिरिक्त कपटपूर्ण व्यवहारों के लिए मशीन को खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

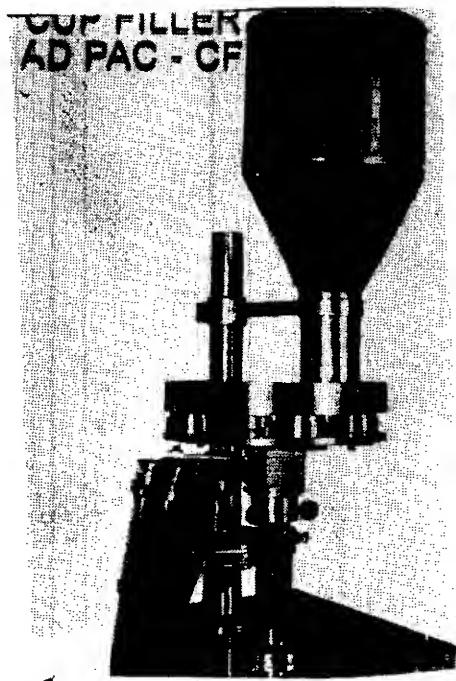
और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के भरण मशीन भी होंगे जिनकी रेंज 2 ग्रा. से 2000 ग्रा. तक की है।

[फा. सं. डब्ल्यू एम-21(309)/2003]
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 11th November, 2005

S.O. 4493. —Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of self indicating Automatic Liquid Filling Machine (Cup Filler) of "AD PAC-CF" series with brand name "AD PAC" (herein referred to as the said model), manufactured by M/s. A.D. Paul & Co. # 649, Eswaran Chittiar Layout, Coimbatore-641 102, Tamil Nadu and which is assigned the approval mark IND/09/05/718;



The said model is an automatic filling machine (Cup Filler) with a capacity in the range of 2g to 2000g or of equivalent volume. It is used for filling the free flowing products like tea, spices, sugar, rice salt, suji, granules, detergents, pharmaceuticals, seeds, agricultural products etc. It fills 30 pouches per minute (max). The instrument operates on 230 Volts and 50-Hertz alternate current power supply.

In addition to sealing stamping plate, sealing shall also be done to prevent from opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make and performance of same series with capacity in the range of 2g to 2000g manufactured by the same manufacturer in accordance with the same principle, design, accuracy and with the same materials with which, the said approved model has been manufactured.

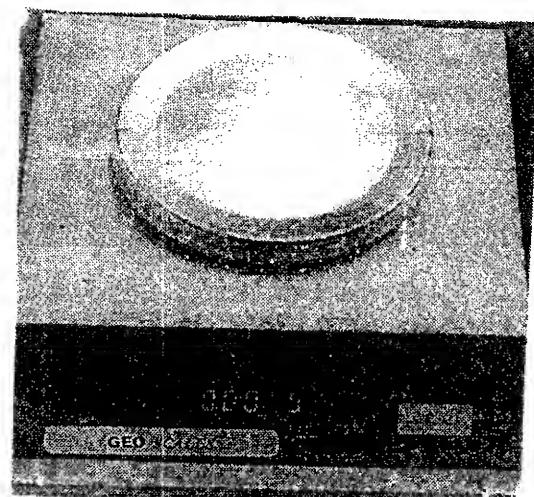
[F. No. WM-21(309)/2003]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 11 नवम्बर, 2005

का. आ. 4494.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स जिओ इक्विपमेंट्स प्राइवेट लिमिटेड, सं० 10 गनपुरम, कुनीमुथुर (पी ओ) कोयंबटूर-671008 द्वारा निर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले “जी टी एच” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “जीओ सेकल” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/05/298 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करता है।



उक्त मॉडल एक विकृति गेज प्रकार का लोडेसेल आधारित तोलन उपकरण (टेबल टॉप प्रकार का) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम क्षमता 100 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 2 ग्रा. है। इसमें एक आद्येयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आद्येयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टार्मिंग स्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. से 50 मि.ग्रा. तक “ई” मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अन्तराल (एन) और 100 मि. ग्रा. तक से अधिक के “ई” मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मान (एन) अंतराल सहित 50 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^3 , 2×10^3 या 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(320)/2004]
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 11th November, 2005

S.O. 4494.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Table top type) with digital indication of "GTH" series of high accuracy (Accuracy class-II) and with brand name "GEO-SCALE" (hereinafter referred to as the said Model), manufactured by M/s. Geo Equipments Private Limited, No.15, Gnanpuram, Kuniamuthur(P.O.), Coimbatore-641008, Tamil Nadu and which is assigned the approval mark IND/09/05/298;



The said Model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30 Kg. and minimum capacity of 100g. The verification scale interval (e) is 2g. It has a tare result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50 kg with verification scale interval (n) in the range of 100 to 50,000 for ' e ' value of 1mg to 50mg and with verification scale interval (n) in the range of 5,000 to 50,000 for ' e ' value of 100mg or more and with ' e ' value of 1×10^k , 2×10^k or 5×10^k where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F. No. WM-21(320)/2004]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 11 नवम्बर, 2005

का. आ. 4495.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स जिओ इक्विपमेंट्स प्राइवेट लिमिटेड, स० 10 गनपुरम, कुनौमुथुर (पी ओ) कोयबूर-671008 द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले “जी टी” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “जीओ सकेल” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/05/299 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृति रेज प्रकार का लोड सेल आधारित तोलन उपकरण (टेबल टॉप प्रकार का) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपर्युक्त करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सापंगी से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 मि.ग्रा. तक “ई” मान के लिए 100 से 10,000 तक के रेज में सत्यापन मापमान अन्तराल (एन) और 100 मि. ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेज में सत्यापन मान (एन) अन्तराल सहित 50 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^4 , 2×10^4 या 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

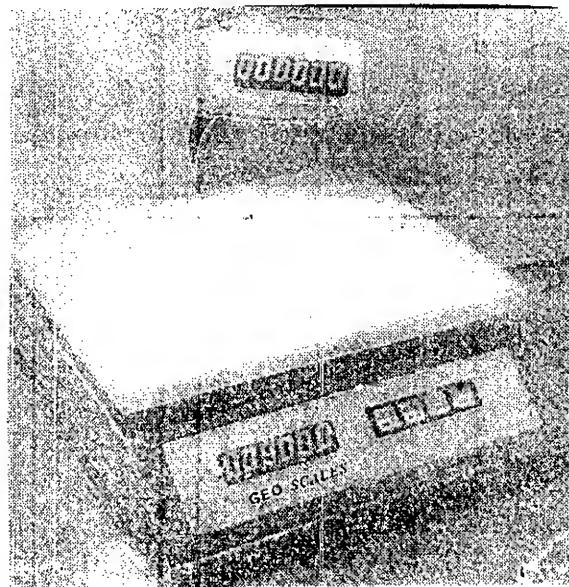
[फा. सं. डब्ल्यू एम-21(320)/2004]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 11th November, 2005

S.O. 4495.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Table top type) with digital indication of "GT" series of medium accuracy (Accuracy class-III) and with brand name "GEO-SCALE" (hereinafter referred to as the said Model), manufactured by M/s. Geo Equipments Private Limited, No.15, Gnanpuram, Kuniamuthur(P.O.), Coimbatore-641008, Tamil Nadu and which is assigned the approval mark IND/09/05/299;



The said Model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30 kg and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50 kg with verification scale interval (n) in the range of 100 to 10,000 for ' e ' value of 100mg to 2g and with verification scale interval (n) in the range of 500 to 10,000 for ' e ' value of 5g. or more and with ' e ' value of 1×10^k , 2×10^k or 5×10^k where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

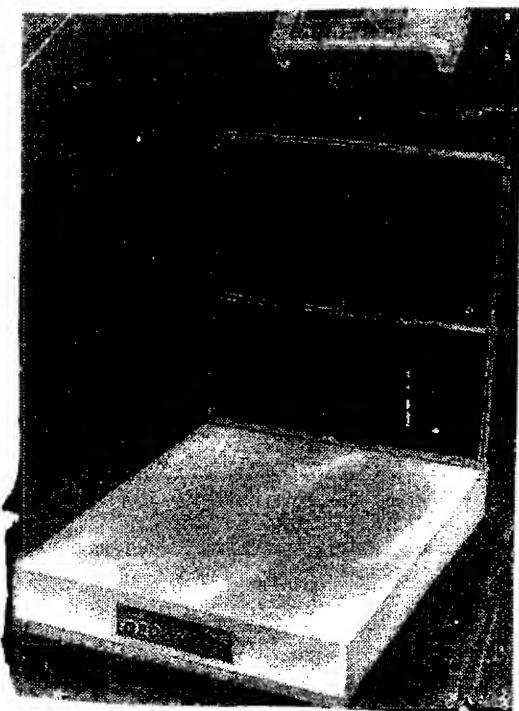
[F. No. WM-21(320)/2004]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 11 नवम्बर, 2005

का. आ. 4496.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स जिओ इक्विपमेंट्स प्राइवेट लिमिटेड, सं० 10 गनपुरम, कुनीमुधुर (पी ओ) कोयंबटूर-671008 द्वारा निर्भित मध्यम यथार्थता (यथार्थता वर्ग III) वाले “जी पी” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेट फार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम “जीओ सकेल” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/05/300 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृत गेज प्रकार का लोड सेल आधारित (प्लेटफार्म प्रकार का) अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. है और न्यूनतम क्षमता 4 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 200 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टार्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के बैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मान (एन) अंतराल सहित 50 कि. ग्रा. से अधिक और 5000 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^4 , 2×10^4 या 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतल्य हैं।

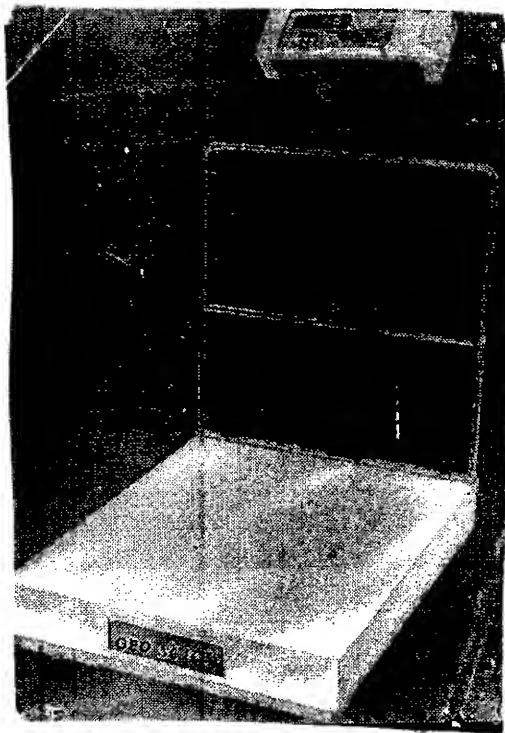
[फा. सं. डब्ल्यू एम-21(320)/2004]

पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 11th November, 2005

S.O. 4496. —Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of "GP" series of medium accuracy (Accuracy class-III) and with brand name "GEO-SCALE" (hereinafter referred to as the said Model), manufactured by M/s. Geo Equipments Private Limited, No.15, Gnanpuram, Kuniamuthur(P.O.), Coimbatore-641008, Tamil Nadu and which is assigned the approval mark IND/09/05/300;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 1000 Kg. and minimum capacity of 4kg. The verification scale interval (*e*) is 200g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50 kg and up to 5000kg with verification scale interval (*n*) in the range of 500 to 10,000 for '*e*' value of 5g. or more and with '*e*' value of 1×10^k , 2×10^k or 5×10^k where *k* is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

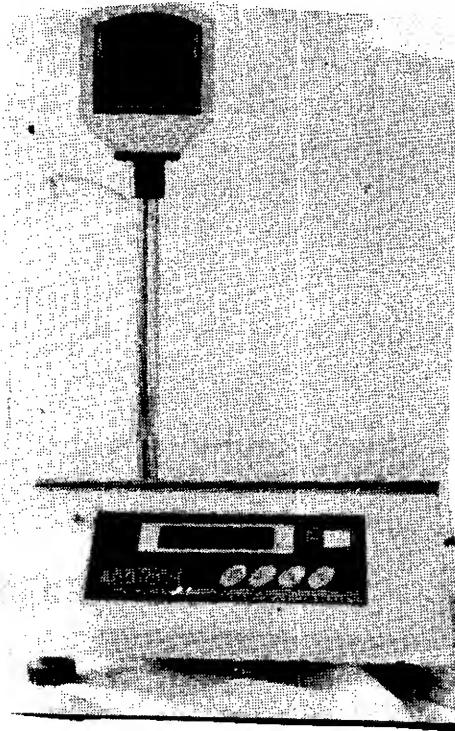
[F. No. WM-21(320)/2004]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 17 नवम्बर, 2005

का. आ. 4497.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपर्यांतों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स एक्टिव वे सिस्टम, ए/7, मंगल तीर्थ पार्क सोसायटी, जशोदा नगर रोड, गोरना कुआं के पास, अहमदाबाद-382445, गुजरात द्वारा विनिर्मित उच्च यथार्थता वर्ग (यथार्थता वर्ग-II) वाले “ए डब्ल्यू टी-15” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “एडटेक डिजी स्केल” है (जिसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/05/954 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल (नीचे दी गई आकृति देखें) एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) है। इसकी अधिकतम क्षमता 15 किग्रा. है और न्यूनतम क्षमता 50 ग्रा. है। सत्यापन मापमान अंतराल (ई) 1 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्पर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टार्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिसमें अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. से 50 मि.ग्रा. के “ई” मान के लिए 100 से 5000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्राम या उससे अधिक के “ई” मान के लिए 5000 से 50000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 किलोग्राम तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^k , 2×10^k या 5×10^k , के हैं, जो धनात्मक या ऋणात्मक पूर्णक या शून्य के समतुल्य हैं।

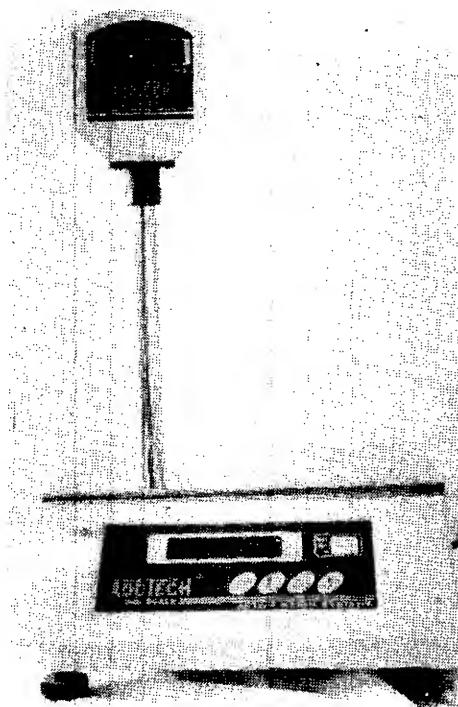
[फा. सं. डब्ल्यू एम-21(228)/2002]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 17th November, 2005

S.O. 4497.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of "AWT-15" series of high accuracy (Accuracy class-II) and with brand name "ADDTECH DIGI SCALE" (hereinafter referred to as the said Model), manufactured by M/s. Active Weigh Systems, A/7, Mangal Tirth Park Society, Jashoda Nagar Road, Near Gorna Kuva, Ahmedabad-382445, Gujarat and which is assigned the approval mark IND/09/05/954;



The said model (see the figure given below) is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 15 Kg. and minimum capacity of 50g. The verification scale interval (*e*) is 1g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50 kg and with number of verification scale interval (*n*) in the range of 100 to 5,000 for '*e*' value of 1mg to 50mg and with number of verification scale interval (*n*) in the range of 5000 to 50,000 for '*e*' value of 100mg or more and with '*e*' value of 1×10^k , 2×10^k or 5×10^k *k* being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(228)/2002]

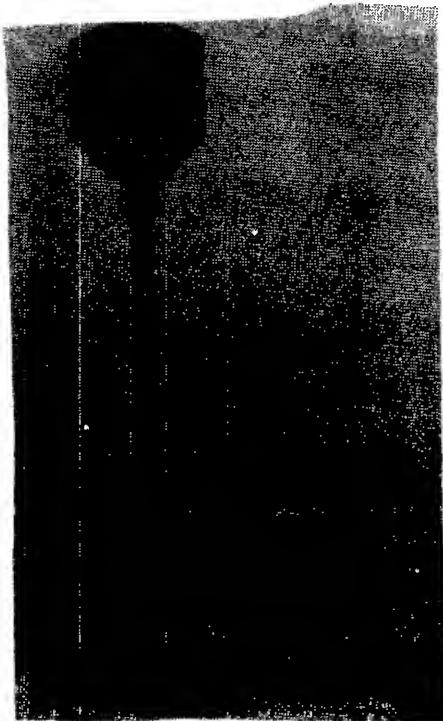
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 17 नवम्बर, 2005

का. आ. 4498.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा अन्य मूल मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता से उपयुक्त और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स एक्टिव वे सिस्टम, ऐ/7, मंगल तीर्थ पार्क सोसायटी, जशोदा नगर रोड, गोरना कुआं के पास, अहमदाबाद-382445, गुजरात द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग III) वाले “ए. डी. टी.-20” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “एडेटेक डिजी स्केल” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/2005/955 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल (नीचे दी गई आकृति देखें) एक विकृत गैज प्रकार का भार सैल आधारित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) है। इसकी अधिकतम क्षमता 20 कि.ग्रा. है और न्यूनतम क्षमता 40 ग्रा. है। सत्यापन मापमान अन्तराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट को सील करने के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए भी खोलने से रोकने के लिए भी सीलबंद किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. के “ई” भान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अन्तराल (एन) और 5 ग्रा. या उससे अधिक के “ई” भान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अन्तराल (एन) सहित 50 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” भान 1×10^6 , 2×10^6 या 5×10^6 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(228)/2002]

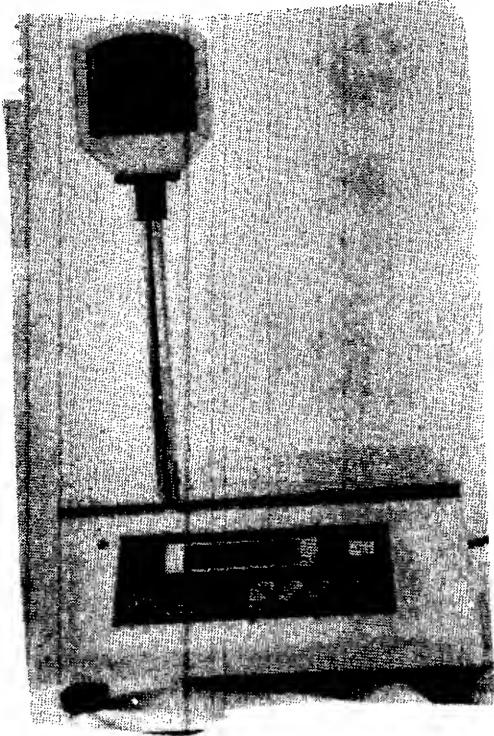
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 17th November, 2005

S.O. 4498.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act. the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic (Table top type) weighing instrument with digital indication of "ADT-20" series of medium accuracy (Accuracy class-III) and with brand name "ADDTECH DIGI SCALE" (herein after referred to as the said Model), manufactured by M/s. Active Weigh Systems, A/7, Mangal Tirth Park Society, Jashoda Nagar Road, Near Gorna Kuva. Ahmedabad—382 445, Gujarat and which is assigned the approval mark IND/09/2005/955:

The said model (see the figure given below) is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 20 Kg. and minimum capacity of 40g. The verification scale interval (e) is 2g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity up to 50 kg with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg. to 2g. or with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(228)/2002]

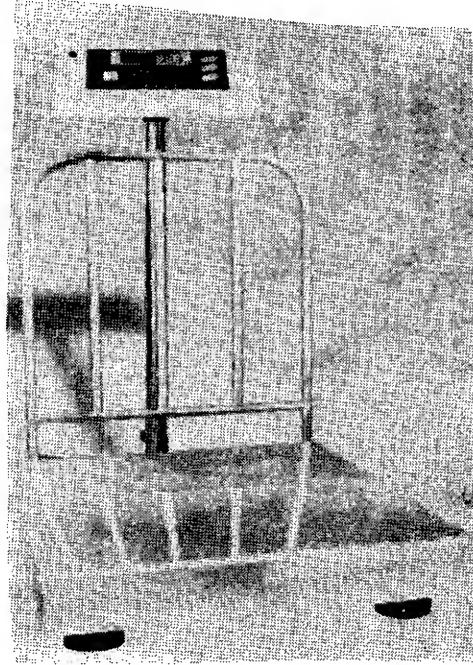
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 17 नवम्बर, 2005

का. आ. 4499.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स एक्टिव वे सिस्टम, ए/7, मंगल तीर्थ पार्क सोसायटी, जशोदा नगर रोड, गोरना कुआं के पास, अहमदाबाद-382445, गुजरात द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग III) वाले “ए डी पी-500” शृंखला के अंकक सूचन सहित स्वसूचक, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम “एडेटेक डिजी स्केल” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/2005/956 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल (नीचे दी गई आकृति देखें) एक विकृत गैज प्रकार का भार सैल आधारित तोलन उपकरण (प्लेटफार्म प्रकार) है। इसकी अधिकतम क्षमता 500 कि.ग्रा. है और न्यूनतम क्षमता 2 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपर्युक्त करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट को सील करने के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिससे अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अन्तराल (एन) सहित 50 कि.ग्रा. से अधिक और 1000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^k , 2×10^k या 5×10^k , के हैं, जो धनात्मक या ऋणात्मक पूर्णक या शून्य के समतुल्य हैं।

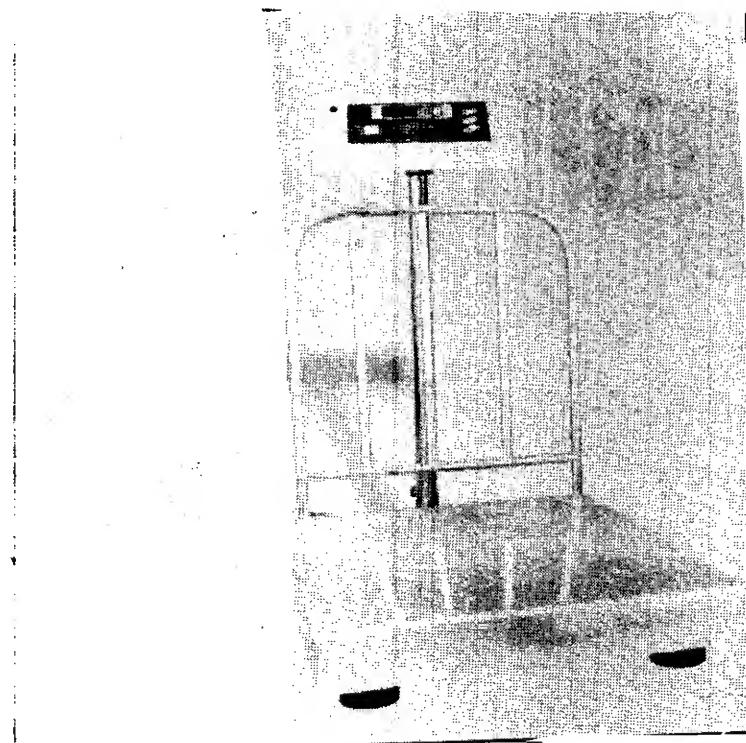
[फा. सं. डब्ल्यू एम-21(228)/2002]
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 17th November, 2005

S.O. 4499. — Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (See the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of the self indicating, non-automatic (Platform type) weighing instrument with digital indication of "ADP-500" series of medium accuracy (Accuracy class III) and with brand name "ADDTECH DIGI SCALE" (hereinafter referred to as the said Model), manufactured by M/s. Active Weigh Systems, A/7, Mangal Tirth Park Society, Jashoda Nagar Road, Near Gorna Kuva, Ahmedabad-382 445, Gujarat and which is assigned the approval mark IND/09/2005/956;

The said model (see the figure given below) is a strain gauge type load cell based weighing instrument with a maximum capacity of 500 kg. and minimum capacity of 2kg. The verification scale interval (e) is 100g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, and 50 Hertz alternate current power supply.



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of same series with maximum capacity above 50 kg and up to 1000kg and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(228)/2002]

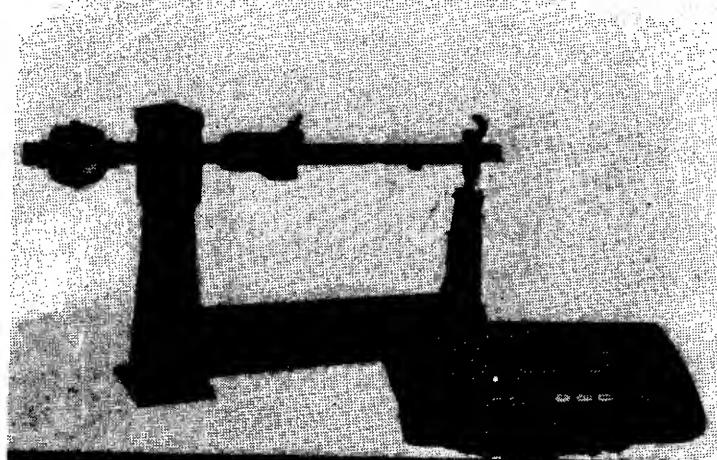
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 17 नवम्बर, 2005

का. आ. 4500.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स अबिग्रान इंटरप्राइज, ई-120, जी आई डी सी इलैक्ट्रॉनिक जोन, सैक्टर-26, कोलवाडा रोड, बी/एच, टाटा टेलीकाम, गांधी नगर (गुजरात) द्वारा निर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग III) वाले “एस पी सी-30टी” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (वेब्रिज के लिए कनवर्शन किट प्रकार) के मॉडल का, जिसके ब्रांड का नाम “प्रोम्प्ट” है (जिसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/753 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल एक विकृत गैज प्रकार का लोड सेल आधारित अस्वचालित (वेब्रिज के लिए कनवर्शन किट प्रकार का) तोलन उपकरण है। इसकी अधिकतम क्षमता 30,000 कि.ग्रा. और न्यूनतम क्षमता 100 कि.ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 5 कि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धरित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डियोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 कि. ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मान अन्तराल (एन) सहित 5 टन से अधिक और 100 टन तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^4 , 2×10^4 या 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

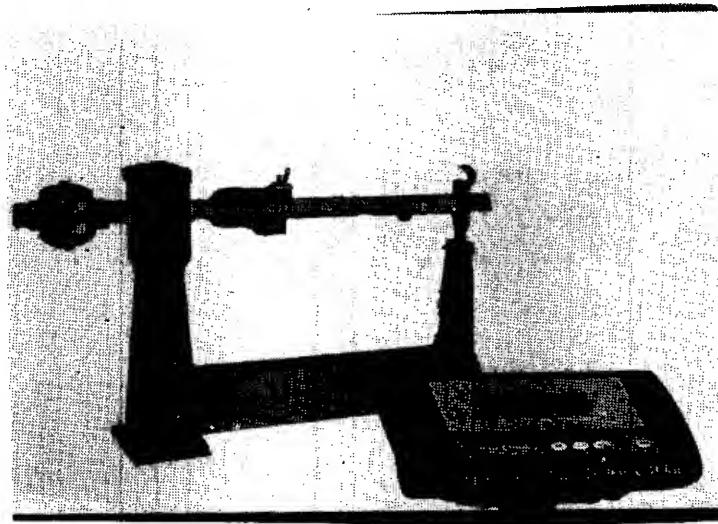
[फा. सं. डब्ल्यू एम-21(70)/2003]
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 17th November, 2005

S.O. 4500. —Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (conversion kit for weighbridge) with digital indication belonging to medium accuracy (Accuracy class-III) of "SPC-30T" series with brand name "PROMPT" (hereinafter referred to as the said Model), manufactured by M/s. Orbitron enterprise, E-120, G.I.D.C. Electronic Zone, Sector-26, Kolvada Road, B/h Tata Telecom, Gandinagar (Gujarat) and which is assigned the approval mark IND/09/2005/753;

The said model is a strain gauge type load cell based non-automatic weighing instrument (conversion kit for weighbridge) with a maximum capacity of 30,000Kg. and minimum capacity of 100kg. The verification scale interval (*e*) is 5kg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument similar make, accuracy and performance of same series with maximum capacity above 5 tonne and up to 100 tonne with verification scale interval (*n*) in the range of 500 to 10,000 for '*e*' value of 5kg or more and with '*e*' value of 1×10^k , 2×10^k or 5×10^k *k* being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(70)/2003]

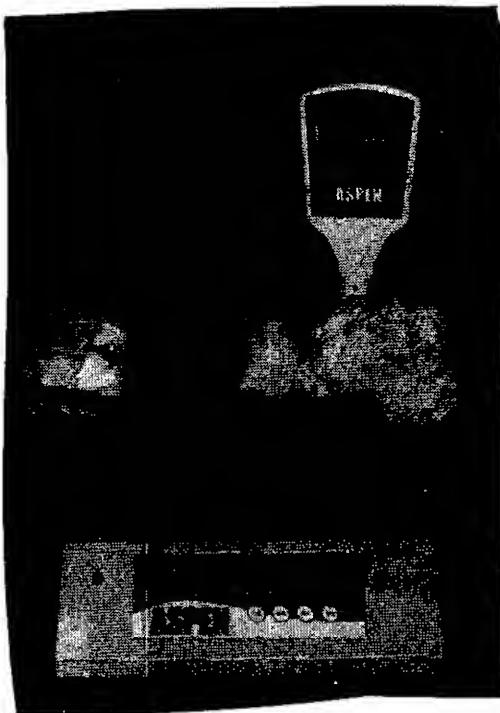
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 17 नवम्बर, 2005

का. आ. 4501.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करते के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स ऐस्प्रेन सिस्टम, क्वार्टर नं० 668, कृषि कुंज, पूसा, आई ए आर आई, नई दिल्ली द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले “ए एस टी” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबल टोप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “ऐस्प्रेन” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/05/754 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल (नीचे दी गई आकृति देखें) एक विकृति गैज प्रकार का लोड सेल आधारित अस्वचालित तोलन उपकरण (टेबल टोप प्रकार का) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपर्युक्त करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टार्मिंग स्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्याण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक “ई” मान के लिए 100 से 50,000 तक की रेंज में सत्यापन मापमान अन्तराल (एन) और 100 मि. ग्रा. या उससे अधिक के “ई” मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मान (एन) अन्तराल सहित 40 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^4 , 2×10^4 या 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूर्णक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(3)/2005]
पी. ए. कृष्णामृति, निदेशक, विधिक माप विज्ञान

New Delhi, the 17th November, 2005

S.O. 4501. —Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of series AST of high accuracy (Accuracy class-II) and with brand name "ASPEN" manufactured by M/s. Aspen Weigh System, Quarter No. 668, Krishikunj, Pusha, I.A.R.I., New Delhi and which is assigned the approval mark IND/09/05/754;

The said model (see the figure given below) is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30kg. and minimum capacity of 100g. The verification scale interval (e) is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts, and 50 Hertz alternative current power supply.



In addition to sealing the stamping plate sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, and performance of same series with maximum capacity up to 50 kg. and with number verification scale interval (n) in the range of 100 to 5,000 for ' e ' value of 1mg to 50 mg. and with number of verification scale interval (n) in the range of 5,000 to 50,000 for ' e ' value of 100mg. or more and with ' e ' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(3)/2005]

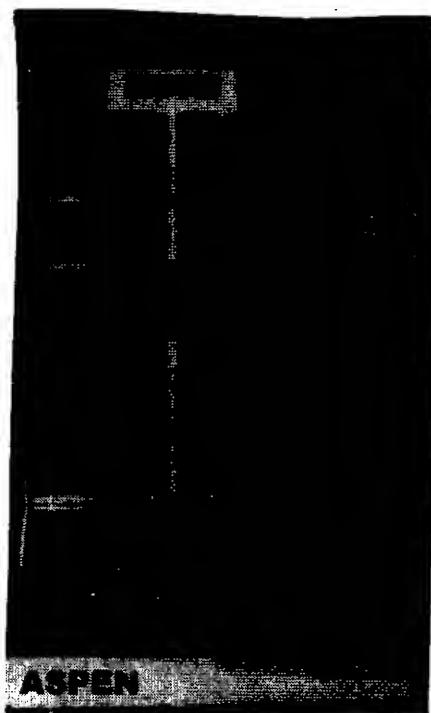
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 17 नवम्बर, 2005

का. आ. 4502.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स ऐस्पेन सिस्टम, क्वार्टर नं० 668, कृषि कुंज, पूसा, आई ए आर आई, नई दिल्ली द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले “ए एस पी” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम “ऐस्पेन” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/05/755 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल (नीचे दी गई आकृति देखें) एक विकृत गैज प्रकार का लोड सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 500 कि.ग्रा. और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मान सहित 50 कि. ग्रा. से अधिक 1000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^4 , 2×10^4 या 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू.एम-21(3)/2005]
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 17th November, 2005

S.O. 4502.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of self indicating, non-automatic (Platform type) weighing instrument with digital indication of series ASP of medium accuracy (Accuracy class-III) and with brand name "ASPEN" manufactured by M/s. Aspen Weigh System, Quarter No. 668, Krishikunj, Pusha, I.A.R.I., New Delhi and which is assigned the approval mark IND/09/05/755;

The said model (see the figure given below) is a strain gauge type load cell based weighing instrument with a maximum capacity of 500kg and minimum capacity of 2kg. The verification scale interval (e) is 100g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternate current power supply.



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of same series with maximum capacity above 50kg, and up to 1000kg and with number of verification scale interval (n) in the range of 50 to 10,000 for ' e ' value of 5g. or more and with ' e ' value of 1×10^k , 2×10^k or 5×10^k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(3)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 17 नवम्बर, 2005

का. आ. 4503.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स कैस (सी ए एस) वेइंग इंडिया प्रा. लि., 568, उद्योग विहार, फेज-V, गुडगांव, हरियाणा-122016 द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले “एम डब्ल्यू पी” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “सी ए एस” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन विह आई एन डी/09/2005/945 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल एक विकृत गैज प्रकार का भार सेल आधारित अस्वचालित (टेबल टॉप प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 600 ग्रा. और न्यूनतम क्षमता 5 ग्रा. सत्यापन मापमान अंतराल (ई) 100 मि. ग्राम है। इसमें एक आघोषतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आघोषतुलन प्रभाव है। तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रशाय पर कार्य करता है।



स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही भेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा से 50 मि. ग्रा तक “ई” मान के लिए 100 से 5000 तक की रेंज में सत्यापन मान अंतराल (एन) और 100 मि. ग्रा. या उससे अधिक के “ई” मान के लिए 5,000 से 50,000 तक की रेंज में सत्यापन मान अंतराल सहित 50 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^4 , 2×10^4 या 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(231)/2005]
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 17th November, 2005

S.O. 4503. —Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Table top type) with digital indication of "MWP" series of high accuracy (Accuracy class-II) and with brand name "CAS" (herein after referred to as the said Model), manufactured by M/s. CAS Weighing India Private Limited, 568, Udyog Vihar, Phase-V, Gurgaon, Haryana-122 016 and which is assigned the approval mark IND/09/2005/945;

The said Model (see the figure given below) is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 600g and minimum capacity of 5g. The verification scale interval (e) is 100mg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make and performance of same series with maximum capacity up to 50kg and with number of verification scale interval (n) in the range of 100 to 5,000 for 'e' value of 1mg. to 50mg and with number of verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

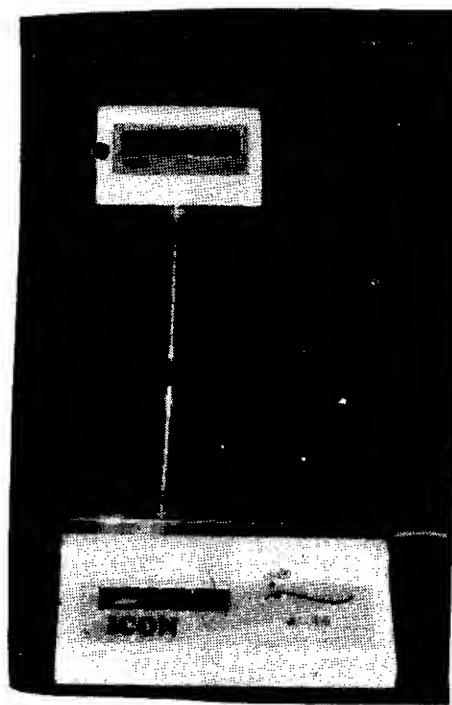
[F. No. WM-21(231)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 17 नवम्बर, 2005

का. आ. 4504.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए पैसर्स आइकन सिस्टम, 130, भूतल, पुराना बी जे मार्केट, जलगांव, महाराष्ट्र - 425001 द्वारा निर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले “आई टी” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबल टोप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “आइकान” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/05/757 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल (नीचे दी गई आकृति देखें) एक विकृति गैज प्रकार का लोड सैल आधारित तोलन उपकरण (टेबल टोप प्रकार का) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टॉपिंग स्लेट के मुद्रांकन के अतिरिक्त मर्शीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी मिद्दान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. से 50 मि.ग्रा. तक “ई” मान के लिए 100 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के “ई” मान कि लिए 5,000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^8 , 2×10^8 या 5×10^8 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

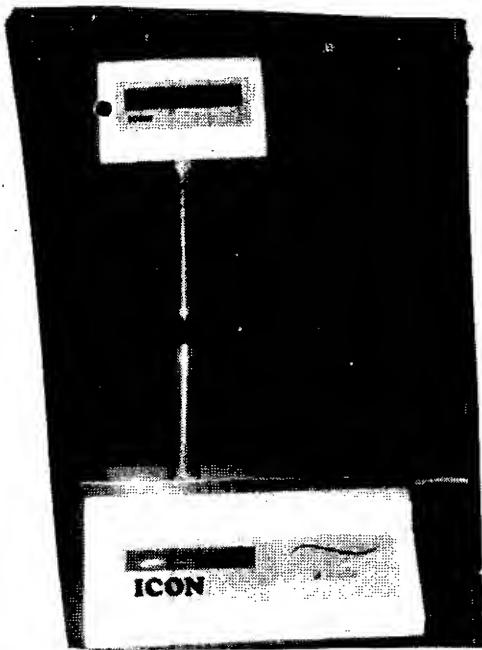
[फा. सं. डब्ल्यू एम-21(341)/2003]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the, 17th November, 2005

S.O. 4504. —Whereas, the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of "IT-30" series of high accuracy (Accuracy class-II) and with brand name "ICON" (hereinafter referred to as the said Model), manufactured by M/s. Icon Systems, 130, Ground Floor, Old B. J. Market, Jalgaon, Maharashtra-425001 and which is assigned the approval mark IND/09/05/757;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30 kg. and minimum capacity of 100g. The verification scale interval (e) is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternate current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg with verification scale interval (n) in the range of 100 to 50,000 for ' e ' value of 1mg. to 50mg and with verification scale interval (n) in the range of 5,000 to 50,000 for ' e ' value of 100 mg or more and with ' e ' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured:

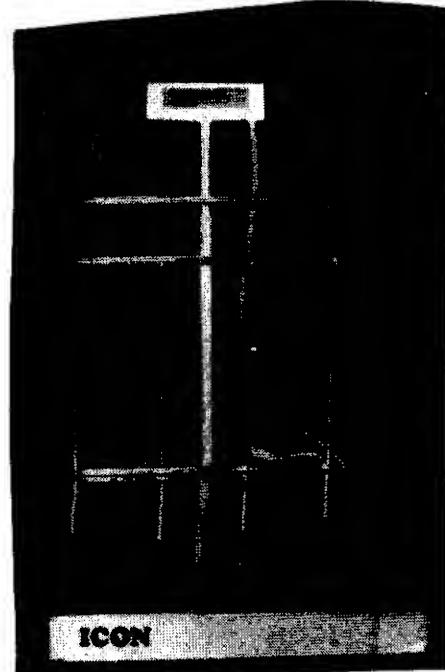
[F. No. WM-21(341)/2003]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 17 नवम्बर, 2005

का. आ. 4505.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स आइकान सिस्टम, 130, भूथल, पुराना बी. जे. मार्केट, जलगांव, महाराष्ट्र- 425001 द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग-11) वाले "आई पी" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "आइकान" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/05/758 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृति गैज प्रकार का लोड सैल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार का) है। इसकी अधिकतम क्षमता 500 कि.ग्रा. है और न्यूनतम क्षमता 2 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

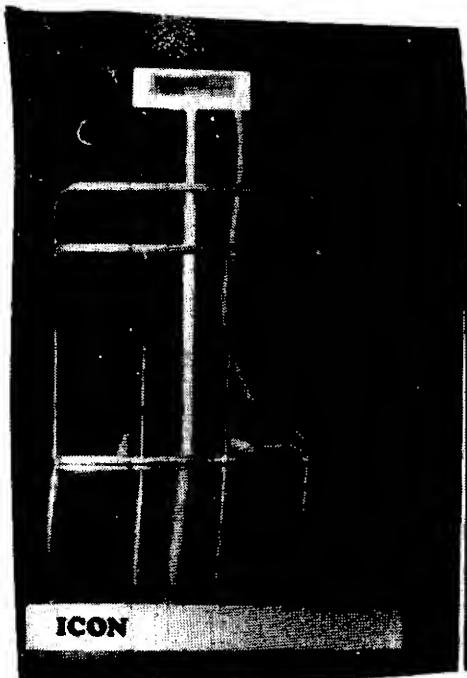
स्टाम्पिंग प्लेट को मुद्रांकित करने के अतिरिक्त कपटपूर्ण व्यवहारों के लिए मशीन को खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मान सहित 50 कि.ग्रा.से अधिक और 1000 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^8 , 2×10^8 या 5×10^8 , के हैं, जो धनात्मक या ऋणात्मक पूर्णक या शून्य के समतुल्य

New Delhi, the 17th November, 2005

S.O. 4505—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of "IP-500" series of medium accuracy (Accuracy class-III) and with brand name "ICON" (hereinafter referred to as the said Model), manufactured by M/s. Icon Systems, 130, Ground Floor, Old B. J. Market, Jalgaon, Maharashtra-425 001 and which is assigned the approval mark IND/09/05/758;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 500 kg. and minimum capacity of 2 kg. The verification scale interval (*e*) is 100 kg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50 kg and up to 1000kg, with verification scale interval (*n*) in the range of 500 to 10,000 for '*e*' value of 5g. or more and with '*e*' value of 1×10^k , 2×10^k or 5×10^k where *k* is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(341)/2003]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 17 नवम्बर, 2005

का.आ. 4506.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स लुहार बल्लभ ट्रिकम एंड कं., शिवाजी नगर, सर्वकुण्डला-364515 गुजरात द्वारा निर्मित यांत्रिक काउंटर मशीन (जिसे इसमें इसके पश्चात् मॉडल कहा गया है) के मॉडल का, जिसके ब्रांड का नाम “लुहार बल्लभ टीकाराम एंड कं.” है और जिसे अनुमोदन चिह्न आई एन डी/09/03/586 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल (नीचे दी गई आकृति देखें) एक यांत्रिक काउंटर मशीन है। इसकी अधितम क्षमता 10 कि.ग्रा. है।



और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के बैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 500 ग्रा. से 50 कि.ग्रा. तक की रेंज में हैं।

[फा. सं. डब्ल्यू एम-21(276)/2002]
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 17th November, 2005

S.O. 4506.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over period of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of mechanical counter machine (hereinafter referred to as said model) with brand name "Luhar Ballabh Trikam & Co.", manufactured by M/s. Luhar Ballabh Trikam & Co., No. 2, Shivaji Nagar, Savarkundla-364515, (Gujarat) and which is assigned the approval mark IND/09/03/586;

The said model (see the figure given below) is a mechanical counter machine with a maximum capacity of 10kg.



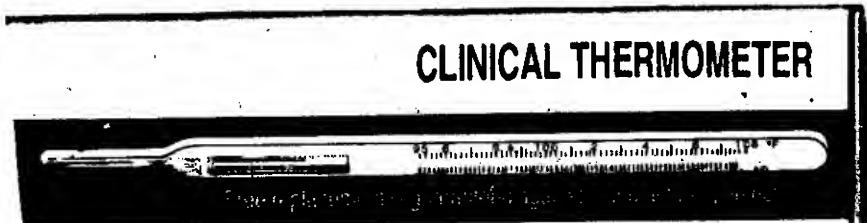
Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the mechanical counter machines of similar make, accuracy and performance with maximum capacity in the range 500g to 50kg manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(276)/2002]
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 17 नवम्बर, 2005

का. आ. 4507.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान होगया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स हैनिमैक्स थर्मामीटर इंडस्ट्री, 21/2ए, नारायण इंडस्ट्रीयल एरिया, फेज-2, नई दिल्ली द्वारा निर्मित सदृश सूचन सहित, ठोस नली के प्रकार का क्लिनीकल थर्मामीटर के मॉडल का, जिसके ब्रांड का नाम “पायोनीयर” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/05/729 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल शीशे में द्रव (पारा) ठोस नली के प्रकार का क्लिनीकल थर्मामीटर है। इसका सदृश सूचन 35° सें. से 42° सें. तक की रेंज का है और सबसे छोटा मापमान खंड 0.1° सें. है।

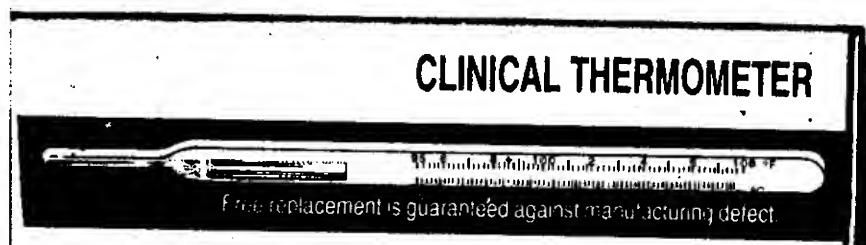
[फा. सं. डब्ल्यू एम-21(207)/2003]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 17th November, 2005

S.O. 4507.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of solid stem type Clinical Thermometer with analogue indication with brand name "Pioneer" (herein referred to as the said model), manufactured by M/s. Hanimax Thermometer Industry, 21/2A, Naraina Industrial Area, Phase-2, New Delhi and which is assigned the approval mark IND/09/05/729;



The said model is a solid stem type liquid in glass (mercury) Clinical Thermometer with analogue indication of range 35° C to 42° C and the smallest scale division is 0.1° C.

[F. No. WM-21(207)/2003]
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 17 नवम्बर, 2005

का.आ. 4508.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लागतार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स हैनिमैक्स थर्मोमीटर इंडस्ट्री, 21/2ए, नारायण इंडस्ट्रियल एरिया, फेज-2, नई दिल्ली द्वारा निर्मित सदृश सूचन सहित, ठोस नली के प्रकार का क्लिनीकल थर्मोमीटर के मॉडल का, जिसके ब्रांड का नाम “हैनिमैक्स” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/05/730 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल शीशे में द्रव (पारा) ठोस नली के प्रकार का क्लिनीकल थर्मोमीटर है। इसका सदृश सूचन 35° सें. 42° सें. तक की रेंज का है और सबसे छोटा मापमान खंड 0.1° सें. है।

[फा. सं. डब्ल्यू एम-21(207)/2003]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 17th November, 2005

S.O. 4508. —Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of solid stem type Clinical Thermometer with analogue indication with brand name "Hanimax" (herein referred to as the said model), manufactured by M/s. Hanimax Thermometer Industry, 21/2A, Naraina Industrial Area, Phase-2, New Delhi and which is assigned the approval mark IND/09/05/730;

In case of any manufacturing defect free replacement is guaranteed



The said model is a solid stem type liquid in glass (mercury) Clinical Thermometer with analogue indication of range 35° C to 42° C and the smallest scale division is 0.1° C.

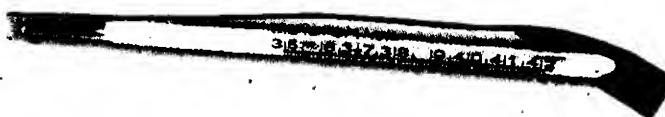
[F. No. WM-21(207)/2003]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 17 नवम्बर, 2005

का. आ. 4509.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आंकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स हैनि मैक्स थर्मामीटर इंडस्ट्री, 21/2ए, नारायणा इंडस्ट्रियल एरिया, फेज-2, नई दिल्ली द्वारा निर्मित सदृश सूचन सहित, ठोस नली के प्रकार का किलनीकल थर्मामीटर के मॉडल का, जिसके ब्रांड का नाम “एन बी” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/11/05/731 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल शीशे में द्रव (पारा) ठोस नली के प्रकार का किलनीकल थर्मामीटर है। इसका सदृश सूचन 35° सें. से 42° सें. तक की रेज का है और सबसे छोटा मापमान खंड 0.1° सें. है।

[फा. सं. डब्ल्यू एम-21(207)/2003]
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 17th November, 2005

S.O. 4509. —Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of solid stem type Clinical Thermometer with analogue indication with brand name "Enbee" (herein referred to as the said model), manufactured by M/s. Hanimax Thermometer Industry, 21/2A, Naraina Industrial Area, Phase-2, New Delhi and which is assigned the approval mark IND/11/05/731;



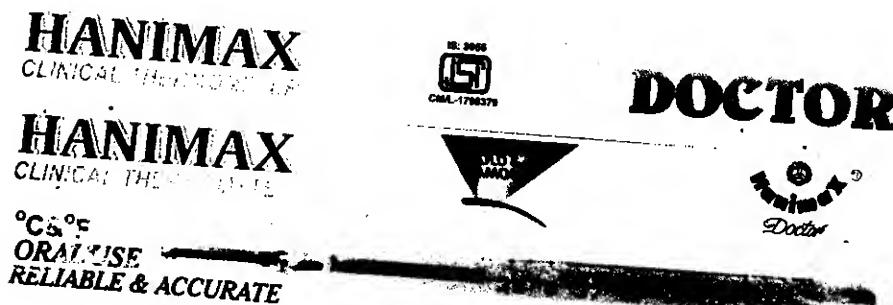
The said model is a solid stem type liquid in glass (mercury) Clinical Thermometer with analogue indication of range 35° C to 42° C and the smallest scale division is 0.1° C.

[F. No. WM-21(207)/2003]
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 17 नवम्बर, 2005

का. आ. 4510.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स हैनि मैक्स थर्मामीटर इंडस्ट्री, 21/2ए, नारायण इंडस्ट्रियल एरिया, फेज-2, नई दिल्ली द्वारा निर्मित सदृश सूचना सहित, ठोस नली के प्रकार का क्लिनोकल थर्मामीटर के मॉडल का, जिसके ब्रांड का नाम “हैनिमैक्स डॉक्टर” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/11/05/732 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



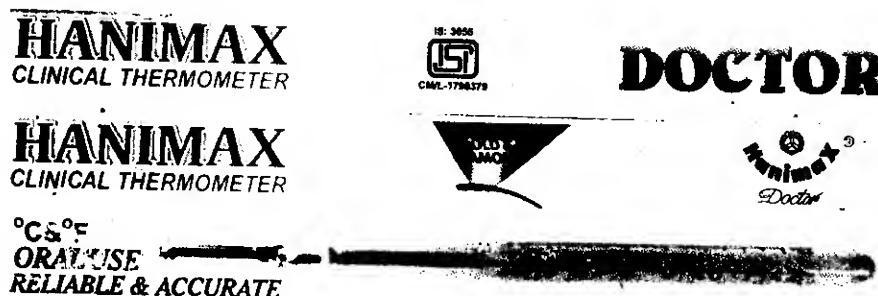
उक्त मॉडल शीशे में द्रव (पारा) ठोस नली के प्रकार का क्लिनोकल थर्मामीटर है। इसका सदृश सूचन 35° सें. 0 से 42° सें. 0 तक की रेंज का है और सबसे छोटा मापमान खंड 0.1° सें. 0 है।

[फा. सं. डब्ल्यू. एम-21(207)/2003]
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 17th November, 2005

S.O. 4510.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of solid stem type Clinical Thermometer with analogue indication with brand name "Hanimax Doctor" (herein referred to as the said model), manufactured by M/s. Hanimax Thermometer Industry, 21/2A, Naraina Industrial Area, Phase-2, New Delhi and which is assigned the approval mark IND/11/05/732;



The said model is a solid stem type liquid in glass (mercury) Clinical Thermometer with analogue indication of range 35° C to 42° C and the smallest scale division is 0.1° C.

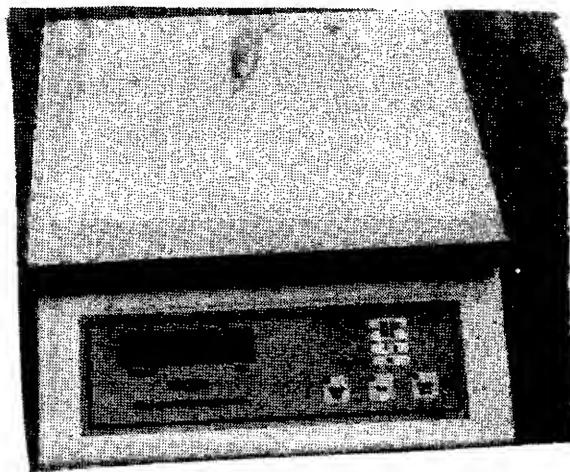
[F. No. WM-21(207)/2003]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 17 नवम्बर, 2005

का. आ. 4511.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स माइक्रो मल्टिमीडीया, 4 निशका ऐवेन्यू, पिजाहट के सामने, स्वास्तिक चारास्ता, नवरंगपुरा, अहमदाबाद-380009 गुजरात द्वारा निर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले “माइक्रो” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटॉप प्रकार) के मॉडल का, (जिसके ब्रांड का नाम “माइक्रो” है (जिसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2003/707 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृति गैज प्रकार का लोड सेल आधारित तोलन उपकरण (टेबल टॉप प्रकार का) है। इसकी अधिकतम क्षमता 12 कि. ग्रा. और न्यूनतम क्षमता 50 ग्रा. है। सत्यापन मापमान अन्तराल (इ) का मान 1 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपर्दर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत पदाय पर कार्य करता है।

स्टारिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त माइक्रो मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्मिता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. से 50 मि. ग्रा. तक “ इ ” मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अन्तराल (एन) और 100 मि. ग्रा. या उससे अधिक के “ इ ” मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अन्तराल सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ इ ” मान 1×10^4 , 2×10^4 या 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

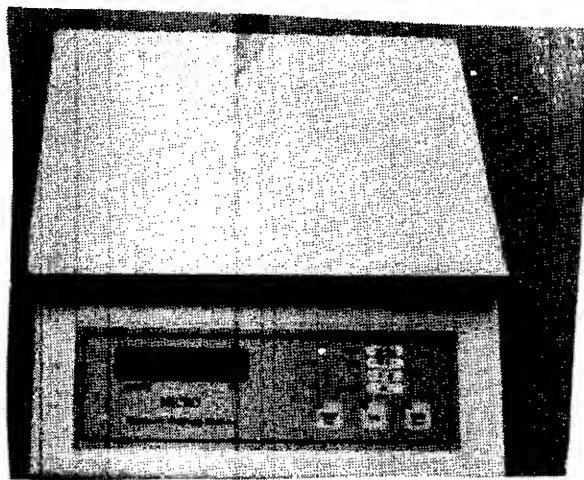
[फा. सं. डब्ल्यू एम-21(312)/2002]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 17th November, 2005

S.O. 4511. —Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic (Table top type) weighing instruments with digital indication of "Micro" series of high accuracy (accuracy class-II) and with brand name "MICRO" (herein referred to as the said model), manufactured by M/s. Micro Multi Media, 4 Nashil Avenue, Opposite Piza Hutt, Swastic Char Rasta, Navaranapura, Ahmedabad -380 009 and which is assigned the approval mark IND/09/2003/707;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 12kg and minimum capacity of 50g. The verification scale interval (e) is 1g. It has a tare device with a 100 per cent subtractive retained tare effect. The light emitting diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model also covers the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg, and up to 5000kg, with verification scale interval (n) in the range of 500 to 10,000 for (e) value of 5g. or more and with e value 1×10 , 2×10 or 5×10 , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

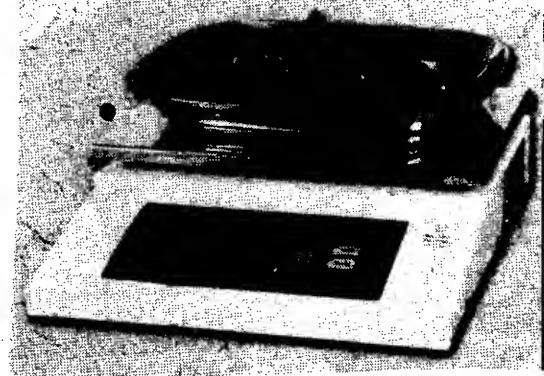
[F. No. WM-21(312)/2002]
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 17 नवम्बर, 2005

का.आ. 4512 .—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाटं और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स हाई-टेक इलैक्ट्रॉनिक्स वेइंग स्केल-एंड सिस्टम, 11 प्रशांत आनन्द नगर, नजदीक इन्द्रिया गार्डन, देवपुर, धुले जिला-424005, महाराष्ट्र द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले “एच टी-30 ए” शृंखला के अंकक सूचन सहित, स्वतःसूचक अस्वाचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का (जिसके ब्रांड का नाम “हाई-टेक” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/2005/958 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल (नीचे दी गई आकृति देखें) एक विकृति गेज प्रकार का भार सेल आधारित अस्वचालित (टेबल टॉप प्रकार का) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि. ग्रा. और न्यूनतम क्षमता 100 ग्राम है। सत्यापन मापमान अन्तराल (ई) 2 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टार्मिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्मिता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के स्वचालित भारमितीय भरण तोलन उपकरण भी शामिल होंगे जो 1 मि. ग्राम से 50 मि. ग्राम तक “ई” मान के लिए 100 से 5000 तक के रेंज में सत्यापन अन्तराल (एन) और 100 मि. ग्रा. या उससे अधिक के “ई” मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान (एन) अन्तराल सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^4 , 1×10^5 या 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(322)/2001]

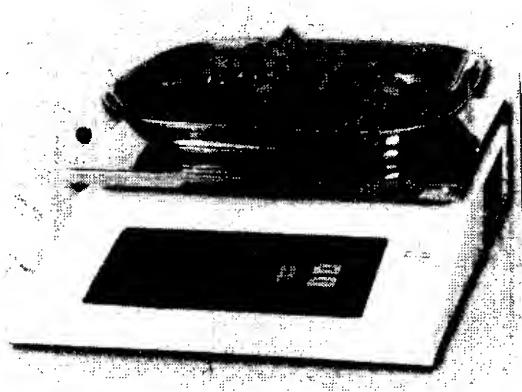
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 17th November, 2005

S.O. | 4512.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instruments (Table top type) with digital indication of series 'HT30A' of high accuracy (Accuracy class-II) and with brand name "HI-TECH" (hereinafter referred to as the said model), manufactured by M/s. Hi-Tech Electronics, Weighing Scales & Systems, 11, Prsant Anand Nagar, Near Indira Garden, Deopur, Dhule Distt.-424 005, Maharashtra and which is assigned the approval mark IND/09/2005/958;

The said model (see the figures given below) is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30kg. and minimum capacity of 100g. The verification scale interval (e) is 2g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts, and 50 Hertz alternative current power supply.



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model also cover the weighing instrument of similar make and, performance of same series with maximum capacity up to 50kg and with number of verification scale interval (n) in the range of 100 to 5000 for (e) value of 1mg. to 50mg. and with number of verification scale interval (n) in the range of 5,000 to 50,000 for 'e' value of 100mg. or more and with (e) value 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(322)/2001]

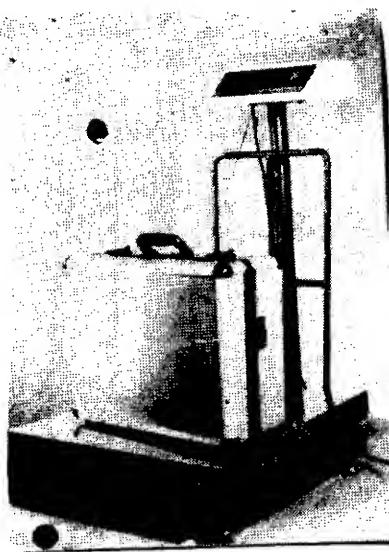
P. A. KRISHNAMCORTHY, Director of Legal Metrology

नई दिल्ली, 17 नवम्बर, 2005

का. आ. 4513.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स. हाई-टेक इलैक्ट्रॉनिक्स वेईंग स्कैल एंड सिस्टम, 11 प्रशांत आनन्द नगर, नजदीक इन्द्रिया गार्डन, देवपुर, धुले, जिला-424005, महाराष्ट्र द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले “एच टी पी-110 ए” शृंखला के अंकक सूचन सहित, स्वतःसूचक अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम “हाई-टेक” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/959 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल (नीचे दी गई आकृति देखें) एक विकृति गैज प्रकार का भार सेल आधारित अस्वचालित (प्लेटफार्म प्रकार का) तोलन उपकरण है। इसकी अधिकतम क्षमता 100 कि. ग्रा. और न्यूनतम क्षमता 500 ग्राम है। सत्यापन भापमान अन्तराल (ई) 10 ग्राम है। इसमें एक आद्येयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आद्येयतुलन प्रभाव है। वैक्यूम फ्लोरोसेंट डिस्प्ले (वी एफ डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के स्वचालित भारमितीय भरण तोलन उपकरण भी शामिल होंगे जो 100 कि. ग्रा. या उससे अधिक के “ई” मान के लिए 5,000 से 50,000 तक की रेंज में सत्यापन भापमान अन्तराल (एन) सहित 50 कि. ग्रा. से अधिक और 300 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^4 , 2×10^4 या 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूर्णक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू. एम-21(322)/2001]

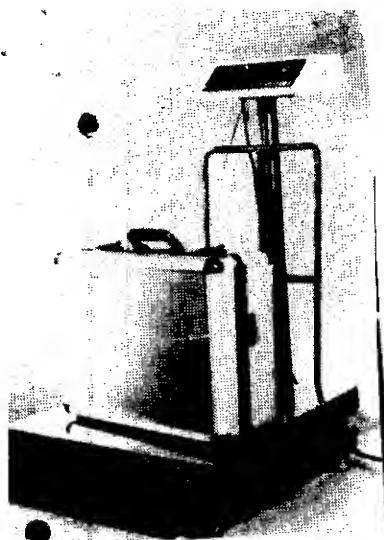
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 17th November, 2005

S.O. 4513—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of series 'HTP-110A' of high accuracy (Accuracy class-II) and with brand name "HI-TECH" (hereinafter referred to as the said model), manufactured by M/s. Hi-Tech Electronics, Weighing Scales & Systems, 11, Prashant Anand Nagar, Near Indira Garden, Deopur, Dhule Distt.-424 005, Maharashtra and which is assigned the approval mark IND/09/2005/959;

The said model (see the figure given below) is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 110kg and minimum capacity of 500g. The verification scale interval (e) is 10g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model also cover the weighing instrument of similar make, performance of same series with maximum capacity ranging above 50kg to 300kg and with number of verification scale interval (n) in the range of 5,000 to 50,000 for 'e' value of 100mg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design, accuracy and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(322)/2001]

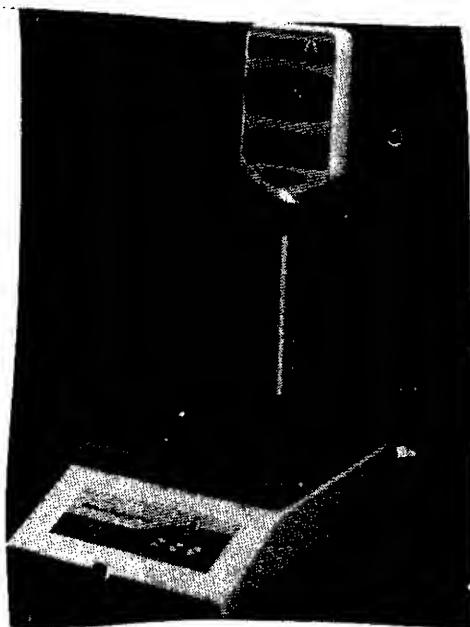
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 18 नवम्बर, 2005

का. आ. 4514.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बाट की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स अलर्ट ऑटोमेशन, लक्ष्मी निवास, कीरूपज्ञा पोस्ट ऑफिस, पेरिनाडु, कोल्लम, केरल-691604 द्वारा निर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग III) वाले “ए ए -टी” शृंखला के अंकक सूचन सहित स्वसूचक, अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “अलर्ट” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/05/315 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल (नीचे दी गई आकृति देखें) एक विकृत गैज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार का) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अन्तराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यक्तिनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपर्युक्त करता है। उपकरण 230 बोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट को सील करने के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए भी सीलबंद भी किया जाएगा

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक “ई” मान के लिए 100 से 10,000 तक के रेज में सत्यापन मान अन्तराल (एन) और 5 ग्रा. या उससं अधिक के “ई” मान के लिए 500 से 10,000 तक की रेज में सत्यापन मापमान अन्तराल (एन) सहित 50 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^8 , 2×10^8 या 5×10^8 , के हैं, जो धनात्मक या ऋणात्मक पूणीक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(189)/2002]

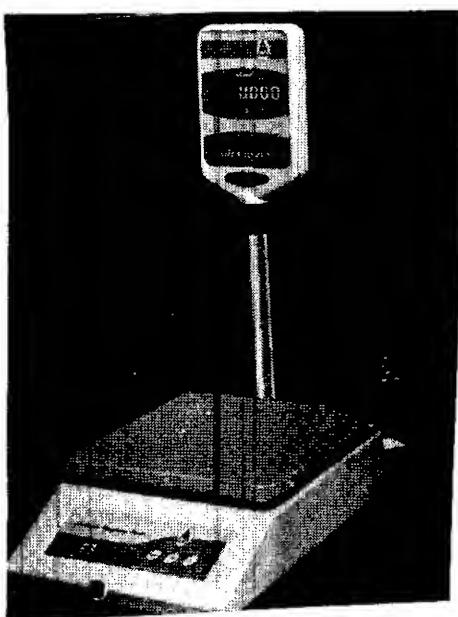
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 18th November, 2005

S.O. 4514.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the self indicating, non-automatic (Table top type) weighing instrument with digital indication of "AA-T" series of medium accuracy (Accuracy class-III) and with brand name "ALERT" (hereinafter referred to as the said Model), manufactured by M/s. Alert Automation, Laxmi Nivas, Kureepuzha P.O., Perinadu, Kollam, Kerala-691604 and which is assigned the approval mark IND/09/05/315;

The said model (See the figure given below) is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30 Kg. and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 percent subtractive retained tare effect. The Vacuum Fluorescent Display (VFD) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg to 2g and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(189)/2002]

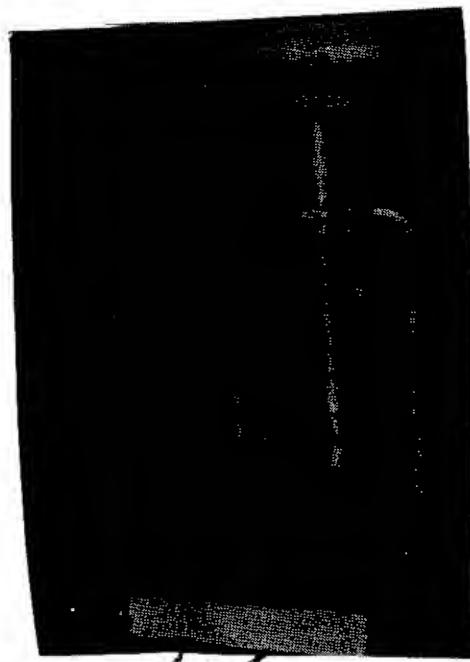
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 18 नवम्बर, 2005

क्रा. आ. 4515.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स अलर्ट ऑटोमेशन, लक्ष्मी निवास, कोरुपुजा पोस्ट ऑफिस, पेरिनाडु, कोल्लम, केरल-691604 द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग III) वाले “ए ए-पी” शृंखला के अंकक सूचन सहित स्वसूचक, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम “अलर्ट” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/2005/316 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल (नीचे दी गई आकृति देखें) एक विकृत गैज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) है। इसकी अधिकतम क्षमता 500 कि.ग्रा. है और न्यूनतम क्षमता 2 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपर्दर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट को सील करने के अंतरिक्त मर्शीन को कंपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए भी सीलबंद किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही भेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मान अन्तराल (एन) और 50 कि. ग्रा. से अधिक और 1000 किलोग्राम तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^k , 2×10^k या 5×10^k , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

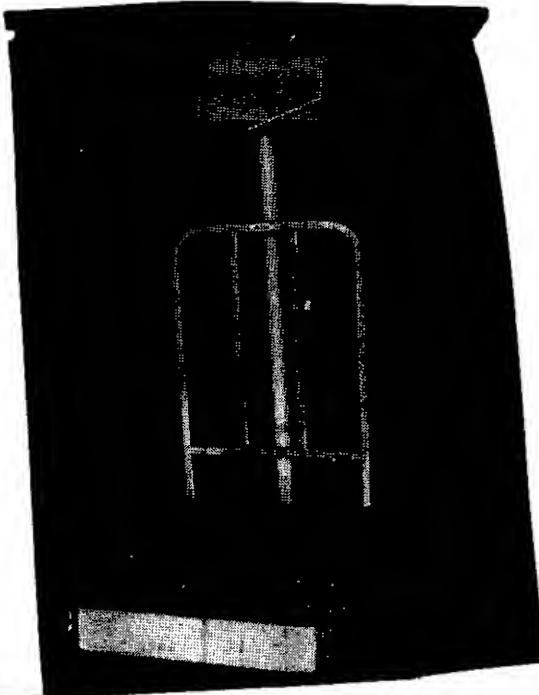
[फा. सं. डब्ल्यू एम-21(189)/2002]
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 18th November, 2005

S.O. 4515.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the self indicating, non-automatic weighing instrument (Platform type) with digital indication of "AA-P" series of medium accuracy (Accuracy class-III) and with brand name "ALERT" (hereinafter referred to as the said Model), manufactured by M/s. Alert Automation, Laxmi Nivas, Kureepuzha P.O., Perinadu, Kollam, Kerala-691604 and which is assigned the approval mark IND/09/2005/316;

The said Model (See the figure given below) is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 500 Kg. and minimum capacity of 2 kg. The verification scale interval (e) is 100g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LFD) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50 kg and up to 1000 kg, with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(189)/2002]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 18 नवम्बर, 2005

का. आ. 4516.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रतुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स टैक्नोक्राट्स, रघवंश अपार्टमेंट्स सानक्वलेंप-403505 गोवा द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग- III) वाले “टी सी-टी बी” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “टैक्नोक्राप्ट्स” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/05/473 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल विकृति गेज प्रकार का भार सेल आधारित अस्वचालित (टेबल टॉप प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 5 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यक्लनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपर्याप्त करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग एलेट को मुद्रांकित करने के अतिरिक्त कपटपूर्ण व्यवहारों के लिए मशीन को खोलने से रोकने के लिए सोलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्राम या उससे अधिक के “ई” मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मान सहित 50 किलोग्राम तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^4 , 2×10^4 या 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

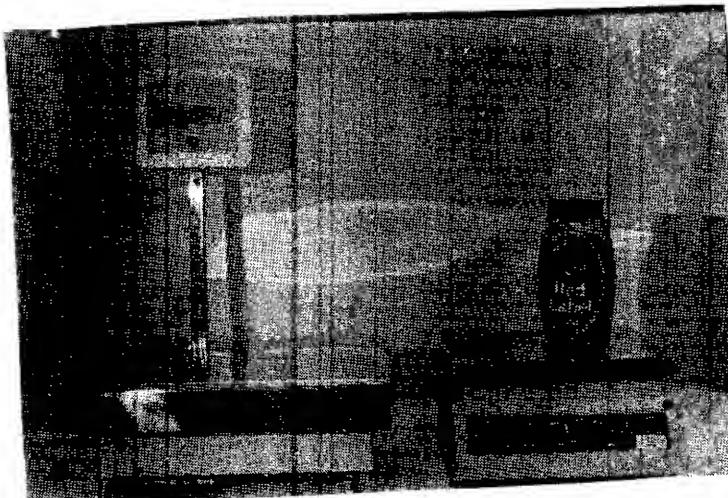
[फा. सं. डब्ल्यू एम-21(362)/2004]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 18th November, 2005

S.O. 4516. —Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of non-automatic weighing instrument (Table top type) with digital indication of "TC-TB" series of medium accuracy (Accuracy class-III) and with brand name "TECHNOCRATS" (herein referred to as the said Model), manufactured by M/s. Technocrats, No. O-1, 1st Floor, Raghuvans Apartments, Sanquelim-403 505, Goa which is assigned the approval mark IND/09/05/473;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30 kg. and minimum capacity of 100g. The verification scale interval (*e*) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg and with verification scale interval (*n*) in the range of 100 to 10,000 for '*e*' value of 100 mg to 2g and with verification scale interval (*n*) in the range of 500 to 10,000 for '*e*' value of 5 mg or more and with '*e*' value of 1×10^k , 2×10^k or 5×10^k , which *k* is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principles, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(362)/2004]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 18 नवम्बर, 2005

का. आ. 4517.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स टैक्नोक्रेट्स रघुवंश अपार्टमेंट्स सानकिलेम-403505, गोवा द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग- III) वाले “टी सी-पी टी” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम “टैक्नोक्रेट्स” है (जिसे इसमें इसके पश्चात उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/05/474 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृत गेज प्रकार का लोड सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) है। इसकी अधिकतम क्षमता 1000 कि. ग्रा. है और न्यूनतम क्षमता 4 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 200 ग्राम है। इसमें एक आद्येयतुलन युक्ति है जिसका शत प्रतिशत व्यक्तिनात्मक धारित आद्येयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपर्युक्त करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 कि. ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) 50 कि. ग्रा. से अधिक और 5,000 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^4 , 2×10^4 या 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूर्णीक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(362)/2004]
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the, 18th November, 2005

S.O. 4517. —Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of non-automatic weighing instrument (Platform type) with digital indication of "TC-PT" series of medium accuracy (Accuracy class-III) and with brand name "TECHNOCRATS" (herein referred to as the said Model), manufactured by M/s. Technocrats, No. O-1, 1st Floor, Raghuvans Apartments, Sanquelim-403 505, Goa and which is assigned the approval mark IND/09/05/474;



The said Model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 1000 kg, and minimum capacity of 4 kg. The verification scale interval (e) is 200g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50 kg, and upto 5,000 kg, with verification scale interval (n) in the range of 500 to 10,000 for ' e ' value of 5 g. or more and with ' e ' value of 1×10^k , 2×10^k or 5×10^k where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principles, design and with the same materials with which, the said approved Model has been manufactured.

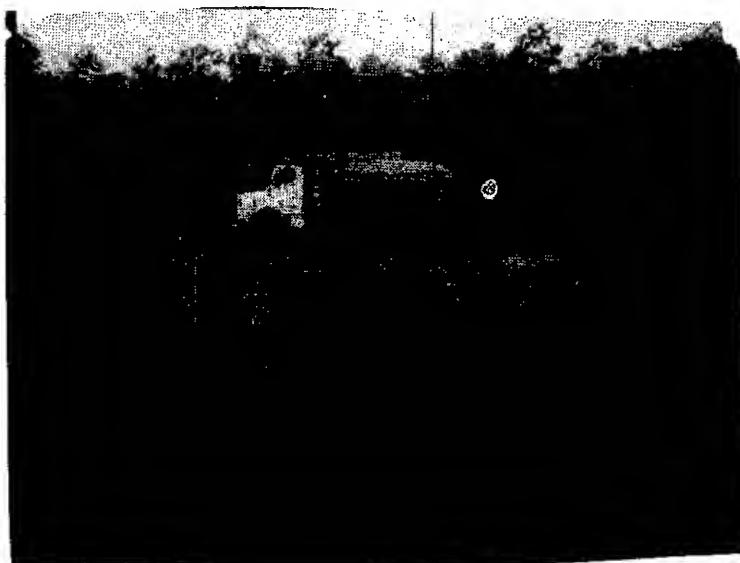
[F. No. WM-21(362)/2004]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 18 नवम्बर, 2005

का. आ. 4518.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा,(7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स टैक्नोक्रेट्स, रघुवंश अपार्टमेंट्स सानकिलेम-403505, गोवा द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग- III) वाले “टी सी-डब्ल्यू बी” श्रृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (तोलनपुल प्रकार) के मॉडल का, जिसके ब्रांड का नाम “टैक्नोक्राफ्ट्स” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/05/475 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृत गेज प्रकार का लोड सेल आधारित अस्वचालित (तोलनपुल प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 40,000 कि. ग्रा. और न्यूनतम क्षमता 200 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 10 कि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यक्तिनामक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टॉपिंग प्लेट को मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनियमता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी श्रृंखला के बैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 कि.ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अन्तराल (एन) सहित 5 टन से अधिक और 100 टन तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^4 , 2×10^4 या 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(362)/2004]
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 18th November, 2005

S.O. 4518. —Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Weighbridge type) with digital indication of "TC-WB" series of medium accuracy (Accuracy class-III) and with brand name "TECHNOCRATS" (herein referred to as the said Model), manufactured by M/s. Technocrats, No. O-1, 1st Floor, Raghuvans Apartments, Sanquelim-403 505, Goa which is assigned the approval mark IND/09/05/475:



The said model is a strain gauge type load cell based non-automatic weighing instrument (Weighbridge type) with a maximum capacity of 40,000 Kg. and minimum capacity of 200 kg. The verification scale interval (*e*) is 10kg. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and upto 100 tonne with verification scale interval (*n*) in the range of 500 to 10,000 for '*e*' value of 5 kg. or more and with '*e*' value of 1×10^k , 2×10^k or 5×10^k , where *k* is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(362)/2004]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

कोयला मंत्रालय

आदेश

नई दिल्ली, 25 नवम्बर, 2005

का. आ. 4519.—कोयला धारक क्षेत्र (अर्जन और विकास)

अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 9 की उप-धारा (1) के अधीन जारी की गई भारत सरकार के कोयला मंत्रालय की अधिसूचना संख्या का.आ. 1108, तारीख 22 मार्च, 2005 जो भारत के राजपत्र, भाग II, खंड 3, उपखंड (ii) तारीख 26 मार्च, 2005 में प्रकाशित हुई थी, उक्त अधिसूचना से उपाब्ध अनुसूची में वर्णित भूमि (जिसे इसमें इसके पश्चात् उक्त भूमि कहा गया है) और ऐसी भूमि में या उस पर के अधिकार उक्त अधिनियम की धारा 10 की उप-धारा (1) के अधीन, सभी विलंगमों से मुक्त होकर, आत्मांतिक रूप से केन्द्रीय सरकार में निहित हो गये थे;

और, केन्द्रीय सरकार का यह समाधान हो गया है कि महानदी कोलफील्ड्स लिमिटेड, संबलपुर (उडीसा) (जिसे इसमें इसके पश्चात् उक्त कंपनी कहा गया है) ऐसे निवंधनों और शर्तों का, जो केन्द्रीय सरकार इस निमित्त अधिरोपित करना उचित समझे, अनुपालन करने के लिए रजामंद हैं;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 11 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि इस प्रकार निहित उक्त भूमि में या उस पर के अधिकार, तारीख 26 मार्च, 2005 से केन्द्रीय सरकार में इस प्रकार निहित बने रहने की बाजाय, निमलिखित निवंधनों और शर्तों के अध्यवधीन रहते हुए, उक्त सरकारी कंपनी में निहित हो जाएंगे, अर्थात् :—

1. सरकारी कंपनी, उक्त अधिनियम के उपबंधों के अधीन यथा अवधारित प्रतिकर, ब्याज, और नुकसानी तथा ऐसी ही मदों की बाबत किये गये सभी संदायों की केन्द्रीय सरकार को प्रतिपूर्ति करेगी;
2. सरकारी कंपनी द्वारा शर्त 1 के अधीन, केन्द्रीय सरकार को संदेय रकमों का अवधारण करने के प्रयोजन के लिये एक अधिकरण का गठन किया जाएगा तथा ऐसे किसी अधिकरण और ऐसे अधिकरण की सहायता के लिये नियुक्त व्यक्तियों के संबंधों में उपगत सभी व्यय, उक्त सरकारी कंपनी वहन करेगी और इसी प्रकार निहित उक्त भूमि में या उस पर के अधिकारों के लिए या उनके संबंध में सभी विधिक कार्यवाहियों जैसे अपोल आदि की बाबत उपगत सभी व्यय भी, उक्त सरकारी कंपनी वहन करेगी;
3. सरकारी कंपनी, केन्द्रीय सरकार या उसके पदाधारियों की, ऐसे किसी अन्य व्यय के संबंध में, जो इस प्रकार निहित उक्त भूमि में या उस पर के अधिकारों के बारे में, केन्द्रीय सरकार या उसके पदाधारियों द्वारा या उनके विरुद्ध किन्हीं कार्यवाहियों के संबंध में आवश्यक हो, क्षतिपूर्ति करेगी;
4. सरकारी कंपनी को, केन्द्रीय सरकार के पूर्व अनुमोदन के बिना किसी व्यक्ति को पहले पैरा में निर्दिष्ट अधिसूचना की अनुसूची में विनिर्दिष्ट उक्त अधिकार किसी अन्य व्यक्ति को अंतरित करने की शक्ति नहीं होगी, और;
5. सरकारी कंपनी, ऐसे निदेशों और शर्तों का, जो केन्द्रीय सरकार द्वारा, जब कभी आवश्यक हो, उक्त भूमि के विशिष्ट क्षेत्रों के लिए दी जाएं या अधिरोपित की जाएं, पालन करेगी।

[फा. सं. 43015/12/99-पी.आर.आई. डब्ल्यू.]

एम. शहाबुद्दीन, अवर सचिव

MINISTRY OF COAL

ORDER

New Delhi, the 25th November, 2005

S.O. 4519.—Whereas on the publication of the Notification of the Government of India in the Ministry of Coal No. S.O. 1108 dated 22nd March 2005 in the Gazette of India Part-II, Section 3, Sub-section (ii) dated 26th March, 2005 issued under Sub-section (i) of Section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act) the lands and the rights described in the schedule appended to the said notification (hereinafter referred to as the said land) vested absolutely in the Central Government free from all encumbrances under Sub-section (1) of Section 10 of the said Act;

And whereas the Central Government is satisfied that the Mahanadi Coalfields Limited, Sambalpur. (Orissa) (hereinafter referred to as the Company) is willing to comply with such terms and conditions as the Central Government thinks fit to impose in this behalf;

Now, therefore, in the exercise of the power conferred by Sub-section (1) of Section 11 of the said Act, the Central Government hereby directs that the said lands and rights so vested shall with effect from the 26th March, 2005 instead of continuing to so vest in the Central Government vest in the Government company, subject to the following terms and conditions, namely :—

1. The Government company shall reimburse the Central Government all payments made in respect of compensation interests, damages and the like as determined under the provisions of the said Act.
2. A Tribunal shall be constituted for the purpose of determining the amount payable to the Central Government by the Government Company under conditions (1) and all expenditure in connection with any such tribunal and persons appointed to assist the tribunal shall be borne by the Government company and similarly, all expenditure incurred in respect of all legal proceedings like appeals etc. for or in connection with the rights, in or over the lands so vested shall also be borne by the Government Company.
3. The Government Company shall indemnify the Central Government or its officials against any other expenditure that may be necessary in connection with any proceedings by or against the Central Government or its officials regarding the rights in or over lands so vested.
4. The Government Company shall have no power to transfer the rights specified in the schedule to the notification referred to in the 1st paragraph above to any other persons without the prior approval of the Central Government.
5. The Government Company shall abide by such directions and conditions as may be given or imposed by the Central Government for particular areas of the said lands as and when necessary.

[F. No. 43015/12/99-PRIW]

M. SHAHABUDEEN, Under Secy.

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 29 अक्टूबर, 2005

का. आ. 4520.—केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन), अधिनियम, 1962 (1962 का 50) की धारा 2 के खण्ड (क) के अनुसरण में और भारत के राजपत्र, भाग -2, खण्ड 3, उपखण्ड (ii) की अधिसूचना संख्या का. आ. 3679, तारीख 21 नवम्बर, 2002, जो भारत के राजपत्र तारीख 23 नवम्बर, 2002 में प्रकाशित को अधिकृत करते हुए नीचे दी गई अनुसूची के स्तंभ (1) में विनिर्दिष्ट व्यक्तियों को उक्त अनुसूची के स्तंभ (2) में विनिर्दिष्ट क्षेत्रों की बाबत कर्नाटका राज्य में अवस्थित विभिन्न उपभोक्ताओं को वितरण के लिए मैसर्स गैस ट्रांसपोर्टेशन एंड इन्फास्ट्रक्चर कम्पनी लिमिटेड, जी. टी. आई. सी. एल. जिसका रजिस्ट्रीकृत कार्यालय 101, शिवम अपार्टमेन्ट, 9 पटेल कलोनी, बेदी बंदर रोड, जामनगर-8 में है, द्वारा गोवा के उत्तरी और दक्षिणी अपार्टमेंट में और आन्ध्रप्रदेश की संरचनाओं में उसकी संप्रवर्तक कंपनी अर्थात् मैसर्स रिलाएस इण्डस्ट्रीज लिमिटेड के खोज-खंडों में उत्पादित प्राकृतिक गैस के परिवहन के लिए पाइपलाइन बिछाए जाने के लिए उक्त अधिनियम के अधीन सक्षम प्राधिकारियों के कृत्यों का निर्वहन करने के लिए प्राधिकृत करती है।

अनुसूची

व्यक्तियों के नाम और पठे	अधिकारिता का क्षेत्र
(1)	(2)
1. श्री गोखले काशीनाथ, मार्फत मैसर्स गैस ट्रांसपोर्टेशन एंड इन्फास्ट्रक्चर कम्पनी लिमिटेड, 101, शिवम अपार्टमेन्ट, 9 पटेल कलोनी, बेदी बंदर रोड, जामनगर-8	कर्नाटका राज्य के बिदर, बेलगाम, बिजापुर और गुलबर्गा जिले
2. श्री नागानाथ मालागी, विशेष श्रेणी का उपायुक्त, सीनियर स्केल काठर (सेवानिवृति) कर्नाटका सरकार, कामर्स एण्ड इंडस्ट्रीज विभाग, कर्नाटका, मार्फत मैसर्स गैस ट्रांसपोर्टेशन एंड इन्फास्ट्रक्चर कम्पनी लिमिटेड, 101, शिवम अपार्टमेन्ट, 9 पटेल कलोनी, बेदी बंदर रोड, जामनगर-8	कर्नाटका राज्य के बिदर, बेलगाम, बिजापुर और गुलबर्गा जिले

3. श्री बी.बी. सावन, विशेष श्रेणी का
उपायुक्त, सलेक्शन स्केल काडर (सेवानिवार्ता)
कर्नाटका सरकार, कामर्स एण्ड इंडस्ट्रीज विभाग,
कर्नाटका, मार्फत यैसर्स गैस ट्रांसफोर्मेशन एण्ड
इन्फ्रास्ट्रक्चर कम्पनी लिमिटेड, 101, शिवम
अपार्टमेंट, 9 पटेल कलोनी,
बेदी बंदर रोड, जामनगर-८

कर्नाटका राज्य के बिदर, बेलगाम,
बिजापुर और गुलबर्गा जिले

[फा. सं. एल-14014/9/2003-जी.पी. (पार्ट-1)]

एस. बी. मंडल, अवर सचिव

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 29th October, 2005

S. O. 4520.—In pursuance of clause (a) of section 2 of the Petroleum and Minerals Pipeline (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) and in supersession of Notification number S.O. 3679, dated the 21 November, 2002, published in the Gazette of India Part II, Section 3, Sub-section (ii) dated the 23rd November, 2002, the Central Government hereby authorize the persons mentioned in column (1) of the Table given below to perform the functions of the competent authorities under the said Act for laying of the pipeline by M/S Gas Transportation and Infrastructure Company Limited (GTICL) having its Registered Office at 101, Shivam Appartments, 9 Patel Colony, Bedi Bunder Road, Jamnagar-8 for transportation of natural gas produced in the exploration blocks of its promoter company, namely, M/S Reliance Industries Limited in Northern and Southern Offshore of Goa and structures in Andhra Pradesh for distribution to various consumers located in the State of Karnataka in respect of the areas mentioned in column (2) of the said Table:-

Table:

Name and Address of the persons (1)	Areas of jurisdiction (2)
1) Shri Gokhale Kashinath C/o M/s Gas Transportation and Infrastructure Company, 101, Shivam Appartment, 9 Patel Colony, Bedi Bunder Road, Jamnagar-8	Districts of Bidar, Belgaum, Bijapur and Gulbarga in Karnataka State.
2) Shri Naganath Malagi, Special Deputy Commissioner in Senior Scale Cadre (Retired) Government of Karnataka, Commerce and Industries Department Karnataka C/o M/s Gas Transportation and Infrastructure Company, 101, Shivam Appartment ; 9 Patel Colony, Bedi Bunder Road, Jamnagar-8	Districts of Bidar, Belgaum, Bijapur and Gulbarga in Karnataka State
3) Shri V.V.Sajjan, Special Deputy Commissioner in Selection Scale Cadre (Retired)Government of Karnataka, Commerce and Industries Department Karnataka C/o M/s Gas Transportation and Infrastructure Company, 101, Shivam Appartment, 9 Patel Colony, Bedi Bunder Road, Jamnagar-8	Districts of Bidar, Belgaum, Bijapur and Gulbarga in Karnataka State

[F. No. I-14014/9/2003-G.P.(Part-I)]
S. B. MANDAL, Under Secy.

नई दिल्ली, 28 नवम्बर, 2005

का. आ. 4521.—केंद्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 2854 तारीख 10 अगस्त, 2005, जो भारत के राजपत्र तारीख 13 अगस्त, 2005 में प्रकाशित की गई थी, द्वारा उस 2005, जो भारत के राजपत्र तारीख 13 अगस्त, 2005 में प्रकाशित की गई थी, द्वारा उस अधिसूचना ये संलग्न अनुसूची में विनिर्दिष्ट भूमि में मुद्रा-दिल्ली पेट्रोलियम उत्पाद पाइपलाइन के माध्यम से गुजरात राज्य में मुद्रा से दिल्ली तक पेट्रोलियम उत्पादों के परिवहन के लिए हिन्दुस्तान कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाने की थी;

और उक्त राजपत्र अधिसूचना की प्रतियां जबता को तारीख 19 सितम्बर, 2005, को उपलब्ध करा दी गई थीं;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन, केंद्रीय सरकार को रिपोर्ट दें दी है;

और केंद्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात, और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है; उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः अब, केंद्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है;

और केंद्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख को केंद्रीय सरकार में विहित होने के बजाए, इस मंत्रालय के सहमति पत्र सं. आर - 31015/7/03 ओ.आर-II दिनांक 25/11/2004 द्वारा लगाई गई शर्तों के अध्यधीन, सभी विलंगमों से मुक्त, हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

तालूका : डीसा		जिला : बनासकांठ		राज्य : गुजरात			
क्रम सं.	गाँव का नाम	असरा सं.	उप स्थान सं.	उप स्थान सं.	हेक्टेयर	एकर	वर्ग मीटर
1	2	3	4	5	6	7	
1.	समौ नाकावास	133 133 144 143 168 168 168	पी३ पी२ 0 0 3 2 1	0 0 23 08 0 0 0	04 14 23 08 11 12 04	00 39 08 62 39 11 06	

क्रम सं.	गाँव का नाम	खसरा सं.	उप खण्ड सं.	जिला : बनासकांठ		राज्य : गुजरात	
				हेक्टेयर	क्षेत्रफल	एयर	वर्ग मीटर
1	2	3	4	5	6	7	
1.	सगौ नांनावास (जारी...)	167		0	12	46	
		147	पी2	0	05	41	
		166	2	0	24	08	
		166	1	0	06	76	
		195		0	00	30	
		196		0	27	12	
		197		0	01	96	
		163	1पी2	0	00	90	
		162		0	16	73	
	रास्ता खसरा संख्या 162 और 259 के बीच में			0	03	56	
		259		0	12	83	
		260	1	0	22	23	
		260	2	0	00	10	
		290		0	19	48	
		289		0	00	48	
		291		0	20	55	
		292		0	04	15	
		293		0	13	68	
		285	2	0	10	35	
	रास्ता खसरा संख्या 285/2 और 341/5 के बीच में			0	04	27	
		341	5	0	07	60	
		341	1	0	07	12	
		341	4	0	07	84	
		342	7पी2	0	14	25	
		347		0	19	95	
		345	पी1	0	20	61	
		489		0	21	03	
		490		0	06	85	
		491	पी1	0	00	20	
		491	पी3	0	07	11	
		491	पी2	0	09	54	
	रास्ता खसरा संख्या 491/पी2 और 492+493/3 के बीच में			0	03	24	
		492+493	3	0	10	69	
		492+493	2	0	09	26	
		492+493	7	0	07	53	
		492+493	6	0	20	66	
		492+493	5	0	08	64	
		472		0	09	18	

तालूका : डीसा		जिला : बनासकांव		राज्य : गुजरात		
क्रम सं.	गाँव का नाम	खसरा सं.	उप छण्ड सं.	हेक्टेयर	एवर	वर्ग मीटर
1	2	3	4	5	6	7
2.	सभौ मोयवास	850 835 847 837 840 841 839 699 698		0 0 0 0 0 0 0 0 1	43 28 07 11 16 18 11 13 06	12 51 39 50 83 09 45 90 77
		रास्ता खसरा संख्या 698/1 और 690/पी1 के बीच में		0	03	78
		690 696 695 693 607	पी1 पी1 पी1 पी1	0 0 0 0	30 08 42 34	94 91 41 92
3.	सावीयान	319	पी1	0	37	06
4.	देलवापूरा	640 59 58	पी3 पी1 पी1	1 0 0	64 13 08	27 68 18
		रास्ता खसरा संख्या 58 में		0	01	08
		60 57 56 55 55 52 50	पी4 पी1 2 1 2 1पी1 0	0 0 0 0 0 0 0	00 10 12 02 00 18 10	20 33 08 36 52 17 06
		रास्ता खसरा संख्या 50 में		0	01	08
		45 46 42 46 41 40 35 36 31 29		0 0 0 0 0 0 0 1पी1 0 0	03 10 00 00 14 00 06 09 16 07	80 97 20 20 14 47 41 44 21 88
		रास्ता खसरा संख्या 29 में		0	01	08
		27		0	25	67

तालूका : ढीसा		जिला : बनासकांठ		राज्य : गुजरात		
क्रम सं.	गोव का नाम	असरा सं.	उप अण्ड सं.	क्षेत्रफल	एवर	वर्गी मीटर
				लैक्टर	5	6
1	2	3	4			
4.	वेलवापूरा (जारी...)	24		0	01	78
		106	पी1	0	10	98
		279		0	14	97
		278	पी1	0	02	23
		278	पी2	0	16	83
		बाला खसरा संख्या 278/पी2 में		0	00	90
		277		0	17	10
		307		0	03	56
		306	1	0	04	68
		306	2	0	09	27
		304		0	00	42
		305	2	0	09	27
		रास्ता खसरा संख्या 305/2 } और 317/1 के बीच में }		0	01	78
		317	1	0	02	60
		313		0	20	60
		315	2	0	11	30
		315	1	0	00	30
		315	3	0	10	71
5.	नवा	25	2	0	03	56
		25	1पी1	0	11	27
		25	1पी2	0	01	20
		27	1पी1	0	08	91
		27	2पी2	0	07	98
		28	2	0	13	54
		29	2	0	14	97
		36	1पी1	0	10	05
		36	1पी2	0	00	64
		36	2	0	17	00
		31	1पी1	0	00	20
		35	4पी1	0	18	18
		34	2पी1	0	11	70
		33	2पी2	0	02	31
		34	1पी1	0	08	47
		33	2पी1	0	00	80
		रास्ता खसरा संख्या 33/2पी1 } और 80/1पी2 के बीच में }		0	02	14
		80	1पी2	0	08	91
		80	2पी1	0	07	48
		80	3पी1	0	05	84
		80	3पी2	0	01	17

1	2	3	4	5	6	7
5.	नवा (जारी ००)	81	1पी2	0	00	20
		81	1पी3	0	11	04
		81	1पी1	0	09	97
		81	2पी1	0	01	43
		86	2/2पी1	0	05	34
		86	2/1पी2	0	07	12
		86	2/1पी1	0	10	33
		85	1	0	17	82
		87	2	0	10	34

[फा. सं. आर-31015/18/2004-ओ.आर-II]

हरीश कुमार, अवर सचिव

New Delhi, the 28th November, 2005

S. O. 4521.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 2854 dated the 10th August , 2005, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), published in the Gazette of India dated the 13th August, 2005, the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying pipeline for transportation of petroleum products from Mundra in the State of Gujarat to Delhi through Mundra-Delhi Petroleum Product Pipeline by Hindustan Petroleum Corporation Limited;

And whereas copies of the said Gazette notification were made available to the public on the 19th September, 2005;

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule, appended to this notification, is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest on the date of publication of declaration, in Hindustan Petroleum Corporation Limited, free from all encumbrances, subject to the conditions imposed vide this Ministry's consent letter no. R-31015/7/D3 OR- II dated 25-11-2004.

SCHEDULE

Taluk : DEESA		District : BANASKANTHA		State : GUJARAT		
Sr. No.	Name of Village	Survey no.	Sub-Division No.	Area		
1	2	3	4	Hectare	Are	Sq.mtr.
1.	SAMAU NANAVAS	133	P3	0	04	00
		133	P2	0	14	39
		144		0	23	08
		143		0	08	62
		168	3	0	11	39
		168	2	0	12	11
		168	1	0	04	06
		167		0	12	46
		147	P2	0	05	41
		166	2	0	24	08
		166	1	0	06	76
		195		0	00	30
		196		0	27	12
		197		0	01	96
		163	1P2	0	00	90
		162		0	16	73
	Cart track in Between Survey No.162 and 259			0	03	56
		259		0	12	83
		260	1	0	22	23
		260	2	0	00	10
		290		0	19	48
		289		0	00	48
		291		0	20	55
		292		0	04	15
		293		0	13	68
		285	2	0	10	35
	Cart track in Between Survey No.285/2 and 341/5			0	04	27
		341	5	0	07	60
		341	1	0	07	12
		341	4	0	07	84
		342	7P2	0	14	25
		347		0	19	95
		345	P1	0	20	61
		489		0	21	03
		490		0	06	85
		491	P1	0	00	20

Taluk : DEESA		District : BANASKANTHA		State : GUJARAT		
Sr. No.	Name of Village	Survey no.	Sub- Division No.	Area		
				Hectare	Are	Sq.mtr.
1	2	3	4	5	6	7
1.	SAMAU NANAVAS (Contd...)	491	P3	0	07	11
		491	P2	0	09	54
		Cart track in Between Survey No.491/P2 and 492+493/3 }		0	03	24
		492+493	3	0	10	69
		492+493	2	0	09	26
		492+493	7	0	07	53
		492+493	6	0	20	66
		492+493	5	0	08	64
		472		0	09	18
2.	SAMAU MOTAVAS	850		0	43	12
		835		0	28	51
		847		0	07	39
		837		0	11	50
		840		0	16	83
		841		0	18	09
		839		0	11	45
		699		0	13	90
		698	1	0	06	77
		Cart track in Between Survey No.698/1 and 690/P1 }		0	03	78
		690	P1	0	30	94
		696		0	08	91
		695	1	0	42	41
		693	1	0	34	92
		607	P1	0	03	95
3.	SAVIYANA	319	P1	0	37	06
4.	VELAVAPURA	640	P3	1	64	27
		59	P1	0	13	68
		58		0	08	18
		Cart track In Survey No.58		0	01	08
		60	P4	0	00	20
		57	P1	0	10	33
		56	2	0	12	08
		55	1	0	02	36
		55	2	0	00	52
		52	1P1	0	18	17
		50		0	10	06
		Cart track In Survey No.50		0	01	08
		45		0	03	80

Taluk : DEESA		District : BANASKANTHA		State : GUJARAT		
Sr. No.	Name of Village	Survey no.	Sub- Division No.	Area		
				Hectare	Are	Sq.mtr.
1	2	3	4	5	6	7
4.	VELAVAPURA	46	2	0	10	97
	(Contd....)	42	1	0	00	20
		46	1	0	00	20
		41		0	14	14
		40		0	00	47
		35		0	06	41
		36	1P1	0	09	44
		31		0	16	21
		29		0	07	88
		Cart track in Survey No.29		0	01	08
		27		0	25	67
		24		0	01	78
		106	P1	0	10	98
		279		0	14	97
		278	P1	0	02	23
		278	P2	0	16	83
		Nala in Survey No.278/P2		0	00	90
		277		0	17	10
		307		0	03	56
		306	1	0	04	68
		306	2	0	09	27
		304		0	00	42
		305	2	0	09	27
		Cart track in Between Survey No.305/2 and 317/1 } }		0	01	78
		317	1	0	02	60
		313		0	20	60
		315	2	0	11	30
		315	1	0	00	30
		315	3	0	10	71
5.	NAVA	25	2	0	03	56
		25	1P1	0	11	27
		25	1P2	0	01	20
		27	1P1	0	08	91
		27	2P2	0	07	98
		28	2	0	13	54
		29	2	0	14	97
		36	1P1	0	10	05
		36	1P2	0	00	64
		36	2	0	17	00

State : GUJARAT

Mandal : DEESA		District : BANASKANTHA		Area		
Sr. No.	Name of Village	Survey no.	Sub-Division No.	Hectare	Are	Sq.mtr.
				5	6	7
1	2	3	4	5	6	7
5.	NAVA (Contd....)	31	1P1	0	00	20
		35	4P1	0	18	18
		34	2P1	0	11	70
		33	2P2	0	02	31
		34	1P1	0	08	47
		33	2P1	0	00	80
		Cart track in Between Survey No.33/2P1 and 80/1P2		0	02	14
		80	1P2	0	08	91
		80	2P1	0	07	48
		80	3P1	0	05	84
		80	3P2	0	01	17
		81	1P2	0	00	20
		81	1P3	0	11	04
		81	1P1	0	09	97
		81	2P1	0	01	43
		86	2/2P1	0	05	34
		86	2/1P2	0	07	12
		86	2/1P1	0	10	33
		85	1	0	17	82
		87	2	0	10	34

[No. R-31015/18/2004-O.R.-II]
HARISH KUMAR, Under Secy.

नई दिल्ली, 30 नवम्बर, 2005

का. आ. 4522.— केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 1846 तारीख 13 मई, 2005, जो भारत के राजपत्र तारीख 21 मई, 2005 में प्रकाशित की गई थी, द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में मई, 2005 में प्रकाशित की गई थी, द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में महाराष्ट्र राज्य में लोणी (पुणे) से पकनी (सोलापुर) तक हजारवाडी के रास्ते पेट्रोलियम उत्पादों के परिवहन के लिए मुम्बई-पुणे पाइपलाइन विस्तार परियोजना के माध्यम से हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 23 जुलाई, 2005 को उपलब्ध करा दी गई थीं;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन, केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात्, और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है ;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है ;

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख को केन्द्रीय सरकार में निहित होने की बजाए, सभी विलंगमों से मुक्त, हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगा ।

अनुसूची							
तालुका : मोहोल			जिला : सोलापुर		राज्य : महाराष्ट्र		
क्रम सं.	गाव का नाम	सर्वे नंबर	गट नंबर	उप-खण्ड संख्या	क्षेत्रफल		
1	2	3	4	5	हेक्टर	एयर	वर्ग मीटर
1	कोथाले		148 150 165 168 175 177		00 00 00 02 00 03 00 09 00 01 00 01	75 70 02 00 20 04	
				कुल	00 17	71	
2	अंकोली		374 352 323 272 274 273 277 282 276 283 104 110 54 50 48		00 25 00 04 00 06 00 12 00 08 00 03 00 09 00 28 00 01 00 08 00 01 00 02 00 19 00 18 00 03	43 20 20 19 66 62 41 66 00 18 13 55 82 90 64	
				कुल	01 51	59	

तालुक : मोहोल		जिला : सोलापुर		राज्य : महाराष्ट्र			
क्रम सं.	गाव का नाम	सर्वे नंबर	गट नंबर	उप-खण्ड संख्या	क्षेत्रफल		
1	2	3	4	5	हेक्टर	एयर	वर्ग मीटर
3	कुरुक्षेत्र		858		00	11	10
			842		00	01	30
			892		00	00	30
			949		00	02	00
			1089		00	05	46
			22		00	02	58
			120		00	02	13
			137		00	14	55
			138		00	06	56
			147		00	00	30
			141		00	38	34
			150		00	07	85
			149		00	08	65
				कुल	01	01	12
4	पोफली		138		00	11	64
			139		00	06	10
			117		00	04	20
				कुल	00	21	94
5	विरवडे झुर्द		28		00	02	85
			43		00	05	74
			35		00	08	07
			95		00	06	14
			96		00	03	56
			100		00	02	12
			101		00	02	52
			103		00	01	54
				कुल	00	32	54

[फा. सं. आर-31015/23/2004-ओ.आर-II]

हरीश कुमार, अवर सचिव

New Delhi, the 30th November, 2005

S.O. 4522.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 1846, dated the 13th May, 2005, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), published in the Gazette of India dated the 21st May, 2005, the Central Government declared its intention to acquire the right of user in the land, specified in the Schedule appended to that notification for the purpose of laying pipeline for transportation of petroleum products through Mumbai-Pune Pipeline Extension Project from Loni (Pune) to Pakni (Solapur) (via Hazarwadi) in the State of Maharashtra by Hindustan Petroleum Corporation Limited;

And whereas the copies of the said Gazette notification were made available to the public on the 23rd July, 2005;

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire the right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule, appended to this notification, is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest on the date of publication of this declaration, in Hindustan Petroleum Corporation Limited, free from all encumbrances.

SCHEDULE

Taluka : MOHOL		District : SOLAPUR			State : MAHARASHTRA		
Sr. No.	Name of the Village	Survey No.	Gat No.	Sub-Division No.	Hectare	Are	Sq.mt
1	2	3	4	5	6	7	8
1	KOTHALE		148		00	00	75
			150		00	02	70
			165		00	03	02
			168		00	09	00
			175		00	01	20
			177		00	01	04
				Total	00	17	71
2	ANKOLI		374		00	25	43
			352		00	04	20
			323		00	06	20
			272		00	12	19
			274		00	06	66
			273		00	03	62
			277		00	09	41
			262		00	26	66
			276		00	01	00
			283		00	06	18
			104		00	01	13
			110		00	02	55
			54		00	19	62
			50		00	18	90
			48		00	03	64
				Total	01	51	59
3	KURUL		858		00	11	10
			842		00	01	30
			892		00	00	30
			949		00	02	00
			1089		00	05	46

Taluka : MOHOL		District : SOLAPUR			State : MAHARASHTRA		
Sr. No.	Name of the Village,	Survey No.	Gat No.	Sub-Division No.	Area		
		3	4	5	Hectare	Are	Sq.mt
3	KURUL (contd.)		22 120 137 138 147 141 150 149		00 02 00 02 00 14 00 06 00 00 00 38 00 07 00 08	58 13 55 56 30 34 85 65	
					Total	01	01 12
4	POPHLI		138 139 117		00 00 00	11 06 06 04	64 10 20
					Total	00	21 94
5	VIRVADE KHURD		28 43 35 95 96 100 101 103		00 00 00 00 00 00 00 00	02 05 08 06 03 02 02 01	85 74 07 14 56 12 52 54
					Total	00	32 54

[No. R-31015/23/2004-O.R.-II]
HARISH KUMAR, Under Secy

नई दिल्ली, 30 नवम्बर, 2005

का. आ. 4523.— केंद्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और 'प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 2238 तारीख 21 जून, 2005, जो भारत के राजपत्र तारीख, 25 जून, 2005, में प्रकाशित की गई थी, द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में मुद्रा-दिल्ली पेट्रोलियम उत्पाद पाइपलाइन के माध्यम से गुजरात राज्य की मुद्रा से दिल्ली तक पेट्रोलियम उत्पादों के परिवहन के लिए हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन के अपने आशय की घोषणा की थी;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 18 अगस्त, 2005 को उपलब्ध करा दी गई थीं;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन, केंद्रीय सरकार को रिपोर्ट दे दी है;

और केंद्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात, और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विविश्वाय किया है;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है ;

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख को केन्द्रीय सरकार में निहित होने के बजाए, इस मंत्रालय के सहमति पत्र सं. आर - 31015/7/03 ओ.आर-II दिनांक 25/11/2004 द्वारा लगाई गई शर्तों के अध्यधीन सभी विलंगमों से मुक्त, हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

तहसील : सांगाबेर		जिला : जयपुर	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एक्टर	वर्ग मीटर
1	2	3	4	5	6
1.	श्योसिंहपुरा	132	0	00	42
		133	0	00	20
		139	0	00	34
		349	0	00	45
		348	0	00	75
		359(स.खारड़ा)	0	00	21
		385	0	01	15
		398	0	00	56
2.	बगलकंला	2904(जे.डी.ए.चारागाह)	0	04	55
		2958	0	00	25
		2959	0	00	31
		3002	0	00	35
		3014	0	00	10
		3015	0	00	52
		3047	0	00	67
		3036	0	01	22
		3039	0	00	91
		3040	0	02	18
		3041	0	01	24
		3130	0	02	68
		3131	0	00	20
		3132	0	17	56
		2339	0	00	74
		3614	0	10	81
		3654	0	01	07
		3648	0	00	17
		3644	0	00	20
		3642	0	13	22
		3641	0	02	52
		3730	0	01	20
		3731	0	05	72
		3749	0	03	96

क्रम सं.	तहसील : सांगानेर	जिला : जयपुर	राज्य : राजस्थान		
			खसरा सं.	हेक्टेयर	एकर
1	2	3	4	5	6
2.	बगलकंला (जारी....)	3753	0	00	58
		3746	0	01	29
		3745	0	01	55
		3769	0	00	32
		3770	0	01	06
		3779	0	02	82
		3780	0	00	73
		4922(स.सइक)	0	00	56
		7067/8062	0	00	85
		4938	0	01	10
		4951	0	00	31
		4948	0	00	42
		4946	0	00	20
		5039	0	00	87
		5055	0	00	13
		5056	0	00	70
		5058	0	00	33
		5059	0	01	21
		5150	0	00	21
		5154	0	00	99
		5152	0	00	12
		5163(स.आबादी)	0	01	29
		5236	0	00	70
		5237	0	00	91
		5228	0	00	18
		5227	0	01	15
		5262	0	00	52
		5991	0	10	01
		5990	0	00	63
		5965	0	04	24
		5942(स.चारागाह)	0	02	22
		5940(जे.डी.ए.चारागाह)	0	09	36
		5817	0	01	37
		5809	0	00	45
		5825	0	00	11
		5827	0	00	33
		5833	0	00	40
		5834	0	01	65
		5703(स.भूमि)	0	00	68
		5497	0	01	03
		5498	0	00	07
		5531	0	00	46
		5508	0	00	20
		5437	0	00	09
		5442	0	00	72
		5447	0	01	09

तहसील : सांगानेर		ज़िला : जयपुर		राज्य : राजस्थान		
क्रम सं.	जाँच का नाम	खसरा सं.	क्षेत्रफल			
			हेक्टेयर	एकर	वर्ग मीटर	
1	2	3	4	5	6	
3. दहमीकला		2340	0	00	47	
		2358	0	01	68	
		2361	0	00	49	
		2373	0	00	53	
		2198	0	00	23	
		2191	0	00	63	
		2174	0	00	48	
		2122	0	02	18	
		2121	0	01	35	
		2482	0	00	24	
		2087	0	00	70	
		2086	0	02	26	
		2080	0	01	84	
		2062	0	00	33	
		2065	0	00	30	
		2066	0	00	32	
		2042	0	00	55	
		2070	0	00	20	
		2024	0	00	34	
		2027	0	00	40	
		2018	0	00	48	
		2007/2599	0	04	40	
		610	0	02	63	
		606	0	01	56	
		605(जे.डी.ए.रास्ता)	0	00	63	
		603	0	02	21	
		602	0	05	32	
4. दहमीखुर्द		400	0	08	02	
		398	0	00	86	
		396	0	00	58	
		404	0	00	62	
		372/831	0	05	40	
		354	0	01	14	
		316	0	01	52	
		316/781	0	00	21	
		176	0	00	84	
		88	0	00	55	
		25	0	00	64	
		27	0	00	43	
		1	0	00	56	
5. सांझरिया		789	0	08	02	
		772	0	02	60	
		748	0	01	04	

तहसील : सांगानेर		जिला : जयपुर		राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	असरा सं.		क्षेत्रफल		
				हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6	
5.	सांझरिया (जारी...)	747	0	00	47	
		746	0	00	88	
		56	0	03	98	
		45	0	02	00	
		12	0	00	77	
		94	0	01	79	
		134	0	00	67	
		140	0	01	96	

[फा. सं. आर-31015/55/2004-ओ.आर-II]

हरीश कुमार, अवर सचिव

New Delhi, the 30th November, 2005

S. O. 4523.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 2238 dated the 21st June, 2005, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), published in the Gazette of India dated the 25th June, 2005, the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying pipeline for transportation of petroleum products from Mundra in the State of Gujarat to Delhi through Mundra-Delhi Petroleum Product Pipeline by Hindustan Petroleum Corporation Limited;

And whereas copies of the said Gazette notification were made available to the public on the 18th August, 2005;

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule, appended to this notification, is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest on the date of publication of declaration, in Hindustan Petroleum Corporation Limited, free from all encumbrances, subject to the conditions imposed vide this Ministry's consent letter no. R-31015/7/03/OR-II dated 25-11-2004.

SCHEDULE

Tehsil : SANGANER		District : JAIPUR		State : RAJASTHAN		
Sr. No.	Name of the Village	Khasara No.	Area			
			Hectare	Are	Sq.mtr.	
1	2	3	4	5	6	
1.	SHYOSINGHPURA	132	0	00	42	
		133	0	00	20	
		139	0	00	34	
		349	0	00	45	
		348	0	00	75	
		359(G/L Kharda)	0	00	21	
		385	0	01	15	
		398	0	00	56	
2.	BAGRUKALAN	2904(J.D.A. Pasture)	0	04	55	
		2958	0	00	25	
		2959	0	00	31	
		3002	0	00	35	
		3014	0	00	10	
		3015	0	00	52	
		3047	0	00	67	
		3036	0	01	22	
		3039	0	00	91	
		3040	0	02	18	
		3041	0	01	24	
		3130	0	02	68	
		3131	0	00	20	
		3132	0	17	56	
		2339	0	00	74	
		3614	0	10	81	
		3654	0	01	07	
		3648	0	00	17	
		3644	0	00	20	
		3642	0	13	22	
		3641	0	02	52	
		3730	0	01	20	
		3731	0	05	72	
		3749	0	03	96	
		3753	0	00	58	
		3746	0	01	29	
		3745	0	01	55	
		3769	0	00	32	
		3770	0	01	06	
		3779	0	02	82	
		3780	0	00	73	

Tehsil : SANGANER		District : JAIPUR		State : RAJASTHAN		
Sr. No.	Name of the Village	Khasara No.	Area			
			Hectare	Are	Sq.mtr.	
1	2	3	4	5	6	
3.	DEHMIKALAN (Contd...)	2361	0	00	49	
		2373	0	00	53	
		2198	0	00	23	
		2191	0	00	63	
		2174	0	00	48	
		2122	0	02	18	
		2121	0	01	35	
		2482	0	00	24	
		2087	0	00	70	
		2086	0	02	26	
		2080	0	01	84	
		2062	0	00	33	
		2065	0	00	30	
		2066	0	00	32	
		2042	0	00	55	
		2070	0	00	20	
		2024	0	00	34	
		2027	0	00	40	
		2018	0	00	48	
		2007/2599	0	04	40	
		610	0	02	63	
		606	0	01	56	
		605(J.D.A. Cart Track)	0	00	63	
		603	0	02	21	
		602	0	05	32	
4.	DEHMIKHURD	400	0	08	02	
		398	0	00	86	
		396	0	00	58	
		404	0	00	62	
		372/831	0	05	40	
		354	0	01	14	
		316	0	01	52	
		316/781	0	00	21	
		176	0	00	84	
		88	0	00	55	
		25	0	00	64	
		27	0	00	43	
		1	0	00	56	
5.	SANJARIYA	789	0	08	02	
		772	0	02	60	
		748	0	01	04	

Tehsil : SANGANER		District : JAIPUR		State : RAJASTHAN		
Sr. No.	Name of the Village	Khasara No.	Area			
			Hectare	Are	Sq.mtr.	
1	2	3	4	5	6	
5.	SANJARIYA (Contd...)	747	0	00	47	
		746	0	00	88	
		56	0	03	98	
		45	0	02	00	
		12	0	00	77	
		94	0	01	79	
		134	0	00	67	
		140	0	01	98	

[No. R-31015/55/2004-O.R.-II]

HARISH KUMAR, Under Secy.

नई दिल्ली, 30 नवम्बर, 2005

का. आ. 4524.— केन्द्रीय सरकार ने पेट्रोलियम और ग्राहकृतिक गैस मंत्रालय के का. आ. 3231 दिनांक 9 सितम्बर 2005 द्वारा पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) के अधीन अधिसूचना प्रकाशित कर, पारदीप हल्दीया पाइपलाइन प्रणाली परियोजना हेतु कच्चे तेल का परिवहन करने के प्रयोजन के लिये उड़ीसा राज्य के पारदीप से पश्चिम बंगाल के हल्दीया तक पाइपलाइन बिछाने हेतु उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट तहसील : कुंबंग जिला: जगतसिंगपुर, उड़ीसा की भूमि में उपयोग के अधिकार के अर्जन के अपने आशय की घोषणा की थी;

और उक्त अधिसूचना की प्रतियों जनता को दिनांक 03-10-2005 तक उपलब्ध करा दी गई थी;

और उक्त अधिनियम की धारा 6 की उप-धारा (1) के अनुसरण में सशम प्राधिकारी, उड़ीसा, ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और, केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से उपबद्ध अनुसूची में विनिर्दिष्ट भूमि में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये घोषणा करती है कि इस अधिसूचना से उपबद्ध अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के उपयोग का अधिकार अर्जित किया जाता है;

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय सभी वित्तीय संस्थाएँ से मुक्त होकर इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

जिला : जगतसिंगपुर

राज्य : उड़ीसा

तहसील का नाम	गाँव का नाम	खसरा संख्या	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मोटर
1	2	3	4	5	6
कुजंग	अभयचंदपुर	1447	00	41	53
		1533	00	04	67
		794	00	02	28

[फा. सं. आर-25011/8/2005-ओ.आर.-I]

एस. के. चिटकारा, अवर सचिव

New Delhi, the 30th November, 2005

S. O. 4524.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 3231 dated the 9th September, 2005 issued under sub section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act) the Central Government declared its intention to acquire the right of user in the land in Tehsil: Kujang, District: Jagatsingpur, in Orissa State, specified in the schedule appended to that notification for the purpose of laying pipeline for the transportation of Crude Oil from Paradip in the State of Orissa to Haldia in the State of West Bengal by the Indian Oil Corporation Limited for implementing the Paradip Haldia Crude Oil Pipeline Project.

And whereas, copies of the said notification were made available to the public on 03.10.2005;

And whereas, the Competent Authority, has under sub-section (1) of section 6 of the said Act, submitted his report to the Central Government;

And whereas, the Central Government after considering the said report is satisfied that the right of user in the land specified in the Schedule appended to this Notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said land shall instead of vesting in the Central Government, vests from the date of publication of this declaration, in the Indian Oil Corporation Limited free from all encumbrances.

Schedule**District : Jagatsinghpur****State : Orissa**

Name of Tehsil	Name of Village	Khasara No.	Area		
			Hectare	Are	Sq. Mtrs.
1	2	3	4	5	6
Kujange	Abhayachandapur	1447	00	41	53
		1533	00	04	67
		794	00	02	28

[F. No. R-25011/8/2005-O.R.-I]
S. K. CHITKARA, Under Secy.

नई दिल्ली, 30 नवम्बर, 2005

का. आ. 4525.—केन्द्रीय सरकार, पैट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की घारा 2 के खण्ड (क) के अनुसरण में, नीचे दी गई अनुसूची के स्तम्भ 1 में उल्लिखित व्यक्ति को, उक्त अनुसूची के स्तम्भ 2 में की स्वत्थानी प्रविष्टि में उल्लिखित क्षेत्र के संबंध में उक्त अधिनियम के अधीन सक्षम प्राधिकारी के कृत्यों का पालन करने के लिए प्राधिकृत करती है, अर्थातः-

अनुसूची

प्राधिकारी का नाम और पता

अधिकारिता का क्षेत्र

(1)

(2)

श्रीमती आशा आर. शाह
गुजरात राज्य से प्रतिनियुक्ति पर
दिशेष भूमि अर्जन अधिकारी,
सक्षम प्राधिकारी,
इंडियन ऑयल कॉर्पोरेशन लिमिटेड,
3/122, रिफाइनरी टाउनशिप,
पोस्ट ऑफिस - जवाहर नगर,
जिला - घડोदरा- 391 320
(गुजरात)

गुजरात राज्य

[फा. सं. आर-25011/1/2005-ओ.आर.-I]
एस. के. चिटकारा, अवर सचिव

New Delhi, the 30th November, 2005

S. O. 4525.— In pursuance of clause (a) of section 2 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby authorises the person mentioned in column (1) of the Schedule given below to perform the functions of the Competent Authority under the said Act, in respect of the area mentioned in column (2) of the said Schedule :

Schedule	
Name and address of the authority (1)	Area of jurisdiction (2)
Smt. Asha R. Shah Special Land Acquisition officer on deputation from Government of Gujarat Competent Authority Indian Oil Corporation Limited, Qr.No. 3/122, Refinery Township, Post Office – Jawaharnagar, Vadodara – 391 320. (Gujarat)	State of Gujarat

[F. No. R-25011/1/2005-O.R.-I]
S. K. C HITKARA, Under Secy.

नई दिल्ली, 30 नवम्बर, 2005

का. आ. 4526.— पेट्रोलियम और खनिज पाइपलाइन (भूमि मे उपयोग के अधिकारी का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 2 के खण्ड के अनुसरण में भारत सरकार, अनुसूची के सत्त्वम् 1 में उल्लिखित व्यक्ति को उक्त अनुसूची के सत्त्वम् 2 में की तत्थनी प्रविष्टि में उल्लिखित क्षेत्रों संबंध में, उक्त अधिनियम के अधीन सक्षम प्राधिकारी के कृत्यों का निर्वहन करने के लिए प्राधिकृत कर रहे हैं, अर्थात् :-

अनुसूची

प्राधिकारी का नाम और पसा (1)	अधिकारिता क्षेत्र (2)

1. श्री मी.के.काम,
वरिष्ठ प्रधानमन्त्री प्रबंधक,
सक्षम प्राधिकारी
इंडियन ऑयल कॉर्पोरेशन लिमिटेड,
हैल्डिंग मौरीग्राम राजबंध बरौनी पाइपलाइन्स, मौरीग्राम
मीओ दुइल्या, अंदुल-मौरी, मौरीग्राम
हावड़ा, पश्चिम बंगाल-711302
- श्री श्री पाइपलाइन्स
पश्चिम बंगाल राज्य

2. श्री मनोज कुमार,
वरिष्ठ सिविल अभियंता,
सक्षम प्राधिकारी
इंडियन ऑयल कॉर्पोरेशन लिमिटेड,
बरौनी कानपुर पाइपलाइन्स, बरौनी,
पीओ बरौनी ऑयल रिफाईनरी, बेगुसराय
बिहार-851114
- पूर्वी क्षेत्र पाइपलाइन्स
बिहार/झारखण्ड राज्य
3. श्री के.एन.साहा,
उप प्रचालन प्रबंधक,
सक्षम प्राधिकारी
इंडियन ऑयल कॉर्पोरेशन लिमिटेड,
बरौनी कानपुर पाइपलाइन्स, इलाहाबाद,
पो.बॉ.नं.1058, सूबेदारगंज इलाहाबाद,
उत्तर प्रदेश-711302
- पूर्वी क्षेत्र पाइपलाइन्स
उत्तर प्रदेश राज्य
4. श्री के.के.धौधरी,
वरिष्ठ प्रचालन प्रबंधक,
सक्षम प्राधिकारी
इंडियन ऑयल कॉर्पोरेशन लिमिटेड,
उत्तरी क्षेत्र पाइपलाइन्स, बिजवासन,
कापसहेड़ा-नजफगढ़ रोड, बिजवासन,
नई दिल्ली-110061
- उत्तरी क्षेत्र पाइपलाइन्स
उत्तरप्रदेश/उत्तरांध्र/दिल्ली राज्य
5. श्री उज्जल घकलाधर,
वरिष्ठ प्रचालन प्रबंधक,
सक्षम प्राधिकारी
इंडियन ऑयल कॉर्पोरेशन लिमिटेड,
उत्तरी क्षेत्र पाइपलाइन्स, पानीपत,
पीओ पानीपत रिफाईनरी, बहोली,
पानीपत-132140
- उत्तरी क्षेत्र पाइपलाइन्स
पंजाब/हरियाणा राज्य
6. श्री वी.के.पवार,
तकनीकी सेवाएं प्रबन्धक,
सक्षम प्राधिकारी
इंडियन ऑयल कॉर्पोरेशन लिमिटेड,
पश्चिमी क्षेत्र पाइपलाइन्स, गौरीदड़,
पोस्ट बॉक्स नं.1007, मोरवी रोड,
गौरीदड़, जिला राजकोट, गुजरात-360003
- पश्चिमी क्षेत्र पाइपलाइन्स
गुजरात राज्य

7. श्री ए.के.गुर्ज,
वरिष्ठ प्रचालन प्रबंधक,
सक्षम प्राधिकारी
इंडियन ऑयल कॉर्पोरेशन लिमिटेड,
पश्चिमी क्षेत्र पाइपलाइन्स, राजोला,
गांव कन्टालिया/राजोला पो.ओ. एवं वाया सोजात रोड,
जिला पाली, राजस्थान-306106

पश्चिमी क्षेत्र पाइपलाइन्स
राजस्थान राज्य

[फा. सं. आर-25011/15/2005-ओ.आर.-I]

एस. के. चिटकारा, अवर सचिव

New Delhi, the 30th November, 2005

S. O. 4526.— In pursuance of clause (a) of section 2 of the Petroleum and Minerals Pipelines (Acquisition of Rights of user in Land) Act, 1962, (50 of 1962), the Central Government hereby authorize the persons mentioned in column (1) of the Schedule below to perform the functions of the Competent Authority under the provisions of the said Act, within the areas mentioned in the corresponding entry in column (2) of the said Schedule.

Schedule

	Name and Address of the Authority (1)	Areas of Jurisdiction (2)
1	Shri P.K.Das, Senior Operations Manager, Competent Authority, Indian Oil Corporation Limited, Haldia-Mourigram-Rajbandh-Barauni Pipeline, Mourigram, P.O.Duilya, Andul-Mouri, Mourigram, Howrah (West Bengal)-711 302	West Bagal State
2	Shri Manoj Kumar, Senior Civil Engineer, Competent Authority, Indian Oil Corporation Limited, Barauni Kanpur Pipeline, Barauni, P.O.Barauni Oil Refinery, Begusarai, Bihar-851114	Bihar/Jharkhand State
3	Shri K.N.Saha, Deputy Operations Manager, Competent Authority, Indian Oil Corporation Limited, Barauni Kanpur Pipeline, Allahabad, P.B. No.1058,Subedar Ganj, Allahabad, Uttar Pradesh-211 012	UP State

4	Shri K.K.Choudhary Senior Operations Manager, Competent Authority, Indian Oil Corporation Limited, Northern Region Pipeline, Bijwasan, Kapashera-Najafgarh Road, Bijwasan, New Delhi- 110061	Uttar Pradesh/ Uttaranchal & Delhi State
5	Shri Ujjal Chakladhar Senior Operations Manager, Competent Authority, Indian Oil Corporation Limited, Northern Region Pipeline, Panipat, P.O.Panipat Refinery, Baholi, Distt. Panipat-132 140	Punjab/Haryana State
6	Shri V.K.Pawar, Technical Services Manager, Competent Authority, Indian Oil Corporation Limited, Post Box No.1007, Morvi Road, Gauridad, Distt.Rajkot, Gujarat-360 003	Gujarat State
7	Shri A.K.Gurg, Senior Operations Manager, Competent Authority, Indian Oil Corporation Limited, Western Region Pipeline, Rajola, Vill.-Kantaliya/Rajola, P.O. & Via.Sojat Road, Distt.Pali, Rajasthan-306106	Rajasthan State

[F. No. R-25011/15/2005-O.R.-I]
S. K. CHITKARA, Under Secy.

श्रम मंत्रालय

नई दिल्ली, 3 नवम्बर, 2005

का. आ. 4527.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसार में, केन्द्रीय सरकार सीसीएल के प्रबंधातंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/प्रम न्यायालय, धनबाद, II के पंचाट (संदर्भ संख्या 16/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-11-2005 को प्राप्त हुआ था।

[सं. एल-20012/486/2001-आई आर (सी-1)]

एस. एस. गुप्ता, अधर सचिव

MINISTRY OF LABOUR

New Delhi, the 3rd November, 2005

S.O. 4527.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 16/2002) of the Central Government Industrial Tribunal/Labour Court, Dhanbad-II now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of CCL and their workman, which was received by the Central Government on 3-11-2005.

[No. L-20012/486/2001-IR (C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

Present :

Shri B. Biswas,
Presiding Officer

In the matter of an Industrial Dispute under Section
10(1)(d) of the I.D.Act, 1947

REFERENCE NO. 16 OF 2002

PARTIES : Employers in relation to the management of
Giridih Area of M/s CCL and their workman

Appearances :

On behalf of the workman : None

On behalf of the employers : Mr. D. K. Verma, Ld.
Advocate

State : Jharkhand : Industry : Coal

Dhanbad, the 21st October, 2005

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under section 10(1)(d) of the I.D.Act., 1947 has referred the following dispute to this Tribunal for adjudication vide their order No.L-20012/486/01-IR(C-I) dated, the 20th February, 2002.

SCHEDULE

"Whether the action of the management of M/s CCL in not granting Pay protection Smt. Shanti Devi, Jha while converting her from P. R. Job to T. R. Job is justified, If not, to what relief is the concerned workman entitled?

2. The case of the concerned female worker according to written statement submitted by the sponsoring union on her behalf in brief is as follows:

They submitted that the concerned female worker was appointed as Piece rated worker under the management on compassionate ground after death of her husband. They submitted that to meet up their requirement the management converted her to time-rated worker in Cat. I, w.e.f. 20-9-84 by office order No.6678 dtd. 20-9-84 and fixed her wages at the lowest of the scale of pay in Cat I wages and for which she was paid wages less than the wages which she would get as P.R. worker.

Accordingly she raised protest and submitted representation to the management for her pay protection in time rated wages but management kept the matter pending for years together with a view to deprive her from her legitimate claim. Accordingly, she raised an Industrial Dispute through her sponsoring union before ALC(C) for conciliation which ultimately resulted reference to this Tribunal for adjudication. The sponsoring union accordingly submitted prayer to pass award directing the management to pay arrears of wages after fixation of her pay in the scale of Cat. I wages giving pay protection.

3. Management on the contrary after filing written statement cum rejoinder have denied all the claims and allegations which the sponsoring union asserted in the written statement on behalf of the concerned female worker.

They submitted that the present Industrial Dispute was raised by the sponsoring union after fifteen years of the retirement of the concerned female worker. They submitted that the concerned female worker was a piece rated worker and on her request and as she submitted option to come over to the job of time rated category without protection of wages she was converted to time rated worker and her pay was fixed at the initial of the pay scale of Cat. I wages as per procedure.

They submitted that the wages of piece rated workers depends upon the quantum of work done by them under Gr. I. Moreover, for piece rated workers there is no promotional avenue and for which always they demand for their conversion to time rated category. They requested that as the concerned female worker opted to work in time rated category she was converted as time rated worker and placed in Cat. I. They submitted that knowing full well of the service condition of piece rated workers and time rated workers the sponsoring union raised Industrial Dispute with ulterior motive to harass the management. Accordingly, they submitted prayer to pass award rejecting the claim of the sponsoring union.

4. POINTS TO BE DECIDED

"Whether the action of the management of M/s CCL in not granting Pay protection to Smt. Shanti Devi, Jha while converting her from P.R.Job to T.R.Job is justified, If not, to what relief is the concerned workman entitled?

5. FINDING WITH REASONS

It transpires from the record that after filing written statement neither the concerned female worker nor the sponsoring union on a single occasion appeared to take further steps in the matter of final hearing of this case. Accordingly the instant case was fixed for exparte hearing of the management.

In course of exparte hearing management in support of their claim examined one witness as M.W.I. Considering the facts disclosed in the pleadings of both sides and also considering evidence of M.W.I. there is no dispute to hold that the concerned female worker initially got her appointment by the management a piece rated worker at Giridih Colliery on compassionate ground. It is admitted fact that subsequently she was converted to time rated category and placed in Cat.I. wages. It is the contention of the management that in piece rated category neither any pay scale nor promotional avenue exists. The piece rated workers come under Group 'A' and their wages are calculated on the basis of work done. However, if management fails to provide any work to the piece rated workers on a particular day in that case, the workers are entitled to get full back wages. This witness disclosed that NCWA III was in operation when the concerned female worker was converted to time rated category in Cat.I. At that time wages in Cat.II at initial stage was Rs. 21.16 and maximum wages was Rs. 27.18 after getting increment. On the contrary rate of wages of piece rated worker was Rs. 21.57 and full back wages was Rs. 21.16. This witness disclosed that there was no difference between initial wages in time rated category and full back wages of piece rated category and for which question there is no question of claiming difference of wages when a piece rated worker converted to time rated worker.

It is the contention of management that the concerned female worker was converted to time rated worker when she opted for the same and further disclosed that till her retirement from service she did not raise any dispute in this matter. On the contrary claim of the sponsoring union is that said female worker submitted representation to the management with a claim for fixation of her wages in the appropriate scale in time rated category considering the wages which she used to draw as P.R. worker. They alleged that management without considering her representation killed time for years together which management categorically denied.

The sponsoring union though had the scope to establish such claim did not consider necessary to submit any copy of such representation. It is fact that under VR(F) Scheme the concerned female worker submitted resignation and thereafter management provided employment to her son. Considering the pleadings of both sides it is apparent that till retirement under V.R. Scheme for female no such Industrial Dispute was raised. It was raised when she was no more in the employment i.e. when the relationship of employer of employee ceased. Therefore, management raised pertinent question that as the concerned female worker was no more an employee under the management the Industrial Dispute raised by the sponsoring union is not sustainable in the eye of law.

Apart from this fact it is clear that wages of piece rated worker is not fixed under any specific scale of pay which is not in case of time rated worker. The piece rated worker are entitled to draw a fixed amount as wages for

performing specific quantity of job and if the management fails to provide any job on a particular day a worker is entitled to get full back wages. The amount specified in full back wages is equivalent to initial wages of the scale of pay in Cat. I of time rated workers.

A P.R. worker is entitled to get fixed wages if he/she is able to perform that job and as it is fixed there is no scope for enhancement of wages by way of annual increment or so. There is also no promotional avenue for them. It is not expected that a piece rated worker by virtue of his drawing fixed wages accrues his/her claim for fixation of initial pay taking into account of that fixed pay while he/she is converted to time rated category.

Accordingly on careful consideration of all the facts and circumstances there is no scope to arrive into conclusion that management illegally arbitrarily fixed the initial wages of the concerned female worker in the pay scale of Cat.I without giving pay protection and for which she is not entitled to get any relief.

In the result the following award is rendered :

"That the action of the management of M/s CCL in not granting pay protection to Smt. Shanti Devi Jha while converting her from P.R. job to T.R. job is justified. Consequently, she is not entitled to get any relief."

B. BISWAS, Presiding Officer.

नई दिल्ली, 3 नवम्बर, 2005

का. आ. 4528.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) को धारा 17 के अनुसरण में, केन्द्रीय सरकार भा. को. को. लि. के प्रबंधतात्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक आधिकरण/प्रम न्यायालय, धनबाद-II के पंचाट (संदर्भ संख्या 54/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-11-2005 को प्राप्त हुआ था।

[सं. एल-20012/461/2000-आई आर (सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 3rd November, 2005

S.O. 4528.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 54/2001) of the Central Government Industrial Tribunal/Labour Court, Dhanbad-II now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 3-11-2005.

[No. L-20012/461/2000-IR (C-I)]

S.S.GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO.2) AT DHANBAD

PRESENT :

Shri B. Biswas, Presiding Officer

**In the matter of an Industrial Dispute under Section 10(1)
(d) of the I.D. Act, 1947**

REFERENCE NO. 54 OF 2001

PARTIES: Employers in relation to the management of M/s. BCCL and their workman.

APPEARANCES:

**On behalf of the work man : Mr. P.M. Prasad,
Advocate.**

On behalf of the employers : Mr. H. Nath,
Advocate.

State : Jharkhand **Industry : Coal**

Dated, Dhanbad, the 18th October, 2005

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under section 10(1)(d) of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication vide their order No. L-20012/461/2000 (C-I) dated, the 19th February, 2001.

SCHEDULE

"Whether the demand of the union for regularisation of Shri Prasant Niyogi as Gratuity Clerk, Grade-II w.e.f. 15-12-95 is proper and justified? If so, to what relief is the concerned workman entitled?"

2. The case of the concerned workman according to Written Statement submitted by the sponsoring union on his behalf in brief is as follows:—

Sponsoring union submitted that the concerned workman Prasant Neogi was appointed by letter No.KN/85/00/1230/94 dt. 18-10-94 under clause 9.3.2 of NCWA-V in the post of General Mazdoor in Cat. I since his father Rathindra Nath Neogi died in harness due to cardiac attack. They submitted that after getting his appointment he was posted to work in the Personal Department of Kankanee Colliery under Sijua Area vide Office Order No. KN/PS/Per/1538/94 dt. 14-12-1994. After his posting there the officer in charge of Personnel Department Kankanee Colliery entrusted him the job of preparation of Gratuity bill of the retired employees. They submitted that the concerned workman after getting charge of preparing Gratuity bill started discharging his duties very efficiently and without any complaint. They submitted that the concerned workman is I.A. and knowing fully well of his qualification the management in spite of regularising him as Gratuity Clerk in Clerical Grade-II forced him to draw wages of Cat. I. They further submitted that the concerned workman as Gratuity Bill clerk worked upto 1999 but in the same year when he submitted representation to the management for his regularisation as Gratuity Clerk in Clerical Grade-II he was removed from the said Department and was asked to work at pit No. 2 of Kankanee Colliery as daily rated labour

vide Office No. KN/PS/Staff/276/99 dt. 18-2-99. They submitted that as per clause 7.2 of the Certified Standing Order a permanent workman is one who is employed on a job of permanent nature for a period of atleast 6 months and who has satisfactorily put in permanent post as probationer. They submitted that the concerned workman continuously from the date of his appointment till 1999 discharged the duties successfully as Bill clerk being employed by the management and accordingly as per provision laid down in clause 7.2 he was liable to be regularised as Gratuity Bill clerk in Gr. II but management illegally and arbitrarily violating the principle of natural justice not only rejected his claim but also reverted him back to the post of daily rated mazdoor at Pit No. 2 and for which he raised an Industrial dispute before the ALC (C), Dhanbad for conciliation which resulted reference to this Tribunal for adjudication. The sponsoring union accordingly submitted prayer to pass award directing the management to regularise the concerned workman as Gratuity clerk in Clerical Gr.II with effect from 15-12-95 with all benefits.

3. Management on the contrary after filing Written Statement-cum-rejoinder have denied all the claims and allegation which the sponsoring union asserted in the Written Statement submitted on behalf of the concerned workman. They submitted that the concerned workman was appointed on 1-11-94 as General Mazdoor Cat. I in place of his deceased father Rathin Neogi, Mining Sirdar who died in harness on 17-10-94. He was authorised by the Project Officer to work in personnel section as General Mazdoor. They categorically denied the fact that the concerned workman was engaged as Clerk w.e.f. 14-12-94 and accordingly there is no question of his regularisation. They disclosed that as per instruction from CMD/D(P) the person, working in other job after 1-7-92 should be stopped forthwith, and accordingly in view of such instruction Shri Neogi by letter dt. 18-2-99 was asked to mark his attendance at 2 Pit, Kankanee but after receipt of the said order he reported sick. They submitted that the claim of the sponsoring union for regularisation of the concerned workman in Clerical Grade-II finds no basis and for which he is not entitled to get any relief in view of his prayer. Accordingly they submitted prayer to pass Award rejecting the claim of the concerned workman.

4. POINTS TO BE DECIDED

"Whether the demand of the union for regularisation of Sri Prasant Nigogi as Gratuity Clerk, Grade-II w.e.f. 15-12-95 is proper and justified ? If so, to what relief is the concerned workman entitled?"

5. FINDING WITH REASONS

It transpires from the record that the sponsoring union with a view to substantiate their claim examined the concerned workman as WW-1. Management also in support of their claim examined one witness as MW-1. WW-1 during his evidence admitted that he got his appointment on compassionate ground after the death of his father on 1-11-94 as General Mazdoor in Cat.I. He submitted that after getting his appointment he was placed in training at Sendra Vocational Training Centre for a period of four months and thereafter he was posted at Kankanee Colliery under personnel section. The posting order during his

evidence was marked as Ext. W.1. In the personnel section he was entrusted to prepare gratuity bill and accordingly he engaged himself to perform the said job as Bill clerk. During his evidence he relied on a letter marked as Ext. W-2 by which management warned him as he was not preparing Gratuity and V.R.S. bill timely. He disclosed that as he discharged his duties as Bill Clerk by order of the management he submitted a representation for his regularisation in Clerical Grade-III but the management instead of giving any importance to his representation transferred him to Pit No. 2 as General Mazdoor and for which he raised an Industrial Dispute. Concerned workman in support of his claim to work as Bill Clerk relied on the document marked as Ext. W-3. During cross-examination the concerned workman admitted that he had no paper to show that he continuously worked in the personnel section as Bill Clerk from 17-10-94. On the contrary MW-1 during his evidence disclosed that the concerned workman was posted in the personnel section as General Mazdoor in the year 1996 Cat. I and for which he categorically denied the fact that he discharged his duties as Clerk since 1994 which was claimed by him. This witness disclosed that when the concerned workman raised an Industrial dispute before the ALC(C), Dhanbad, Manager, Kankanee Colliery in reply to the letter of ALC(C) submitted a report dt. 6-6-97/10-6-97 which was marked as Ext. M-1. This witness further disclosed that by order dt. 8-2-99 issued by the Manager, Kankanee Colliery the concerned workman was asked to work as General Mazdoor at Pit No. 2, Kankanee and the said letter during his evidence was marked as Ext. M-2. Considering evidence of MW-1 and WW-1 and also considering the materials on record I find no dispute to hold that the concerned workman on compassionate ground got his appointment as General Mazdoor in Cat. I. U.G. on 1-11-94 after the death of his father. It is admitted fact that subsequently the concerned workman was posted at personnel department as General Mazdoor. The office order marked as Ext. W-1 will support this claim. From this order it transpires that the concerned workman who was provisionally appointed as General Mazdoor was deputed to work in the personnel section of this Colliery. The order was issued dt. 14-12-94. Therefore, there is no dispute to hold that on deputation the concerned workman got his posting in the personnel Department as General Mazdoor. It is the contention of the concerned workman that as per order of the Officer Incharge, Personnel Department he was entrusted to work as Bill Clerk and was put on the job of preparing gratuity bills and V.R.S. bills and in support of his claim he relied on the letter dt. 1-3-97 issued by Senior Finance Officer, Kankanee Colliery (marked as Ext. W-2). It is seen that Manager, Kankanee Colliery submitted a Compilation report to the Dy. C.P.M. Sijua Area wherein it was disclosed that the concerned workman was allowed to perform his duties as Gratuity Clerk w.e.f. 26-10-97. Relying on this document the representative of the

sponsoring union submitted that the concerned workman though was posted in the personnel Department as General Mazdoor was authorised to perform his duties as Bill Clerk and relying on clause 7.2 of the Certified Standing Order it has been submitted that he has to be regularised as Bill Clerk in Clerical Grade-II as he performed the job of clerk for more than 6 months. Clause 7.2 of the Certified Standing Order speaks as follows:—

“A permanent workman is one who is employed on a job of permanent nature for a period of atleast 6 months or who has satisfactorily put in 6 months continuous service in a permanent post as a probationer.”

According to this clause it has to be established that the concerned workman was employed to perform permanent nature of job and continuously he worked in that capacity for more than 6 months in a permanent post as probationer. The sponsoring union in course of hearing has failed to produce a single scrap of paper to show that he was authorised to work as Bill clerk and he performed that job continuously for more than 6 months in a permanent post. Until and unless it is established that he worked against a permanent post clause 7.2 of the Certified Standing Order does not attract at all. It is fact that there is a compilation report and there is warning letter marked as Ext. W-2 and W-3 but these two letters definitely do not justify the claim of the concerned workman for getting his regularisation as Clerk in Clerical Grade-II when it has not been proved that Senior Finance Officer or Manager of Kankanee Colliery are the competent authority to allow a General Mazdoor to work as Bill Clerk in the personnel section ignoring the provision as laid down in NCWA wherein it has been specifically mentioned how a clerk in clerical cadre is to be appointed. These two letters I should say are nothing but created letters only to establish the claim of the concerned workman particularly when it is clear that those officers as mentioned above do not have any authority to issue such letters or to submit such compilation report. As per NCWA a Clerk in Clerical Cadre gets his appointment by way of selection/interview subject to fulfilment of other conditions. After selection he is posted in Clerical Grade. III. There is no direct recruitment in the post of Clerical Grade. II. As per NCWA the post of Clerical Grade-II is filled up from amongst the clerks of Clerical Grade- III through D.P.C. Here in the instant case the concerned workman was appointed as General Mazdoor Cat. I. I do not like to raise any dispute that he holds requisite qualification to get his promotion in Clerical Cadre but for getting such post there are norms required to be fulfilled very strictly as per guide lines of NCWA. It is the claim of the concerned workman he continuously worked as Bill Clerk in the personnel Department from 1994 till 1999 being authorised by the Officer Incharge of the personnel Department. It should be borne into mind that an Officer Incharge of the personnel department is not the competent

authority who can issue any order directing any worker of Cat. I General Mazdoor to perform duties as Clerk in Clerical Grade-II absolutely ignoring the provision as laid down in NCWA. The concerned workman has also failed to produce any authorisation letter in support of his claim in course of hearing. Accordingly just based on two documents marked as Ext. W-1 and W-2 it is absolutely absurd to consider the claim of the concerned workman to get his regularisation as Bill Clerk in Clerical Grade-II.

Accordingly in view of my discussion made above I hold that the sponsoring union has lamentably failed to substantiate the claim of the concerned workman and for which the concerned workman is not entitled to get any relief. Accordingly, the following Award is rendered:

"The demand of the union for regularisation of Sri Prasanti Neogi as Gratuity Clerk, Grade-II w.e.f. 15-12-95 is not proper and justified. Consequently, the concerned workman is not entitled to get any relief."

B. BISWAS, Presiding Officer.

नई दिल्ली, 3 नवम्बर, 2005

का.आ. 4529.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा. को. को. लि. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय धन्वाद II के पंचाट (संदर्भ संख्या 74/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-11-2005 को प्राप्त हुआ था।

[स. एल-20012/58/2003-आई आर (सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 3rd November, 2005

S.O. 4529.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 74/2003) of the Central Government Industrial Tribunal/Labour Court, Dhanbad-II now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 3-11-2005.

[No. L-20012/58/2003-IR (C-1)]

S.S.GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT (NO. 2),

AT DHANBAD.

PRESENT:

Shri B. Biswas, Presiding Officer.

In the matter of an Industrial Dispute under
Section 10(1) (d) of the I.D. Act., 1947.

REFERENCE NO. 74 OF 2003.

PARTIES

: Employers in relation to the management of Simlabahal Colliery of M/s BCCL and their workman.

APPEARANCES :

On behalf of the workman : Mr. Ram Ratan Ram, Ld. Advocate;

On behalf of the employers : Mr. D.K. Verma, Ld. Advocate;

State : Jharkhand Industry : Coal

Dated, Dhanbad, the 18th October, 2005.

AWARD

The Govt. of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(I)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/58/03-I.R. (C-1) dated, the 18th August, 2003.

SCHEDULE

"Whether management of BCCL Simlabahal Colliery is justified in dismissing Sri Pancham Hari w.e.f. 23-1-2002? If not to what relief is the said workman entitled?"

2. The case of the concerned workman according to written statement submitted by the sponsoring union on his behalf in brief is as follows :

They submitted that the concerned workman was a permanent sweeper at Simlabahal Colliery under Kustore Area of the management. They submitted further that owing to sudden illness he left for his home on 19-4-2000 but as he is illiterate and was not aware of the norms and rule of the Company he could not inform the management in writing the cause of his leaving from the place of duty. They admitted that management issued a charge sheet dt. 13/14-9-2000 to the concerned workman but as he failed to submit any reply to the same he was dismissed from his service on 23-1-2002 illegally, arbitrarily and violating the principle of natural justice and for which he raised an Industrial Dispute for conciliation which ultimately resulted reference to this Tribunal for adjudication.

The sponsoring union accordingly submitted prayer to pass award directing the management to reinstate the concerned workman to his service with full back wages and other consequential relief setting aside the order of dismissal issued by the management.

3. Management on the contrary after filing written statement cum rejoinder have denied all the claims and allegations which the sponsoring union asserted in the written statement submitted on behalf of the concerned workman.

They submitted that the concerned workman was habitual absentee and his attendance was very poor. They submitted that a domestic enquiry was held against the concerned workman in view of charge sheet issued to him for committing misconduct on the ground of absentism with effect from 15-6-1998. In the said domestic enquiry he was found guilty to the charge brought against him but as he by submitting application assured the management not to commit such misconduct in future he was allowed to resume his duty after imposing deduction of one increment as a token of punishment. They alleged that inspite of giving privilege he again started remaining himself absent from duty unauthorisedly w.e.f. 10-7-99 and for which a charge sheet was issued to him. Thereafter, domestic

enquiry was held against him and he was found guilty to the charge of misconduct brought against him. Again he begged apology and assured the management not to commit such misconduct in future. They disclosed that to give him another opportunity instead of imposing major punishment as a token punishment his two increments were stopped.

They submitted that inspite of giving repeated opportunity the concerned workman did not mend his conduct and again started remaining himself absent from duty unauthorisedly with effect from 19-4-2000 and for which the Disciplinary Authority issued charge sheet to him dt. 13/14-9-2000 under clause 26 : 1 : 1 of the Certified Standing order. As the concerned workman did not submit any reply to the charge sheet, the Disciplinary Authority initiated domestic enquiry against him and appointed P.K. Srivastava Dy. P.M. as Enquiry officer. It has been submitted by the management that enquiry Officer was compelled to take up hearing of the enquiry proceeding ex parte as the concerned workman did not appear inspite of issuance of notices repeatedly. The Enquiry officer thereafter submitted his report holding the concerned workman guilty to the charges brought against him. The Disciplinary Authority thereafter considering the said enquiry report and also considering other aspects dismissed him from service. they categorically denied the fact that neither illegally nor arbitrarily the concerned workman was dismissed from his service. Accordingly, they submitted prayer to pass award rejecting the claim of the sponsoring union for reinstatement of the concerned workman to his service.

4. POINTS TO BE DECIDED

"Whether Management of BCCL Simlabahal Colliery is justified in dismissing Sri Pancham Hari from service w.e.f. 23-1-2002? If not to what relief is the said workman entitled?"

5. FINDING WITH REASONS

Before taking up hearing of this case on merit it was taken into consideration if domestic enquiry held against the concerned workman was fair, proper and in accordance with the principle of natural justice. The said issue on preliminary point was disposed of in favour of the management by this Tribunal vide order No. 7 dt. 9-3-05.

Now the point for consideration is if the management have been able to substantiate the charge brought against the concerned workman and if so whether the order of dismissal from service issued against him can be reviewed as per provision laid down in Sec. II-A of the I.D. Act.

During hearing the copy of charge sheet issued to the concerned workman was marked as Exht. M.2. From this charge sheet it transpires that the concerned workman started remaining himself on unauthorised absent

w.e.f. 19-4-2000 till date of issuance of charge sheet dt. 13/14-9-2000, i.e. continuously he remained absent from duty unauthorisedly without giving any intimation to the management for about five months. The sponsoring union did not deny about issuance of this charge sheet in the name of the concerned workman. They further in the written statement admitted that concerned workman could not give reply to the charge sheet as he was an illiterate workman and also as he was not aware of the norms and rules of the Company. It is the contention of the sponsoring union that as he fell ill he left for his native village to get proper treatment. The sponsoring union is absolutely silent from which ailment he was suffering from. It transpires from the record that as the concerned workman did not appear in course of hearing of the domestic enquiry proceeding it was heard ex parte and the Enquiry Officer submitted his report accordingly holding him guilty to the charge brought against him. The enquiry report submitted by the Enquiry Officer was marked as Exht. M-6. In course of hearing on preliminary issue the representative of the sponsoring union accepted fairness of the enquiry conducted by the Enquiry Officer though in their written statement it was agitated otherwise. Considering all these aspects there is sufficient reason to draw conclusion that the concerned workman intentionally avoided to face hearing of the enquiry proceeding.

It is admitted fact that concerned workman remained himself absent from duty unauthorisedly with effect from 19-4-2000 till date of issuance of charge sheet and such acts as amounted to misconduct as per clause 26 : 1 : 1 of the Certified Standing Orders applicable to the workmen of the management they were justified to issue the same. Accordingly, burden of proof was on the sponsoring union to disprove the claim of the management. instead of taking minimum trouble the sponsoring union through their representative admitted fairness of the enquiry conducted by the Enquiry Officer based on chargesheet issued to the workman.

It was the contention of the sponsoring union that the concerned workman remained himself absent from duty owing to his illness. In course of hearing they have failed to produce a single scrap of medical papers to show that the concerned workman was actually lying ill and that was the cause for his unauthorised absence. Therefore, the plea taken by the sponsoring union for the concerned workman cannot be accepted in any circumstances. On the contrary it has been well established that the remained on unauthorised absent from duty as of his choice. Considering enquiry papers and also considering all aspects I hold that management have well established the charge brought against the concerned workman.

It is seen that relying on the report of the Enquiry Officer and also other connecting papers the Disciplinary Authority dismissed the concerned workman from his service vide letter dt. 23-1-2002 which during hearing was marked as Exh. M. 9.

Now the point for consideration is whether the said order of dismissal deserves to be reviewed u/s II-A of the I.D. Act.

Sec. II-A of the I.D. Act speaks as follows :

"Where an industrial dispute relating to the discharge or dismissal of a workman has been referred to a Labour Court, Tribunal or National Tribunal for adjudication and, in the course of the adjudication proceedings, the Labour Court, Tribunal or National Tribunal, as the case may be, is satisfied that the order of discharge or dismissal was not justified, it may, by its award, set aside the order of discharge or dismissal and direct reinstatement of the workman on such terms and conditions, if any, as it thinks fit, or give such other relief to the workman including the award of any lesser punishment in lieu of discharge or dismissal as the circumstances of the case may require."

According to this provision of law it is to be taken into consideration if the said order of dismissal was justified and proportionate to the extent of misconduct committed by the concerned workman.

It is the contention of the management as per facts disclosed in their written statement that for his unauthorised absence w.e.f. 15-6-98 they issued chargesheet to the concerned workman and he was found guilty to the charges brought against him. However, as punishment his one increment was stopped as he made appeal and assured the management to mend his conduct in future in the matter of his attendance. They further alleged that ignoring that assurance he again started remaining absent unauthorisedly w.e.f. 10-9-99 and for which chargesheet was issued to him. The charge levelled against him when proved he again made an appeal and begged apology for the misconduct committed by him and also assured the management to mend his conduct in future. Accordingly, taking compassionate view management instead of imposing major punishment stopped his two increments. Contention of the management is that inspite of giving sufficient opportunity the concerned workman misusing the same again started remaining himself absent from duty unauthorisedly with effect from 19-4-2000 and for which on third occasion chargesheet on the ground of committing misconduct was issued against him. The sponsoring union by filing rejoinder absolutely denied issuance of two chargesheets by the management

previous to this chargesheet. In the circumstances burden of proof was on the management to substantiate the said claim. Considering enquiry proceeding papers I have failed to find out any material submitted on the part of the management to substantiate the allegation in question. Even in course of hearing on merit the management did not consider necessary to produce the orders to show that minor punishments were imposed on him on two consecutive occasions for committing misconduct of similar nature as he begged apology and assured the management to be vigilant in future in the matter of giving his attendance.

Therefore, I do not find scope to support such claim of the management. Ld. Advocate for the management in course of hearing on merit submitted that the concerned workman was in the habit of remaining himself absent from duty and in support of his claim relying on the enquiry report he submitted that in the years 1997, 1998 and 1999 the concerned workman put his attendance for 146 days, 154 days and 111 days respectively. This fact has not been denied by the sponsoring union but submitted that management accepted the absence of the concerned workman as they did not issue any chargesheet on that ground. It is fact that Ld. Advocate for the management did not give any satisfactory explanation why under such circumstances management did not consider necessary to issue any chargesheet to the concerned workman. Therefore, the statistics which the management relied on cannot be taken into consideration in the instant case. Moreover in the instant case management issued chargesheet relying on clause 27 : 1 and not on clause 27 : 2 of the Certified Standing Orders directing to submit his reply within 72 hours as they considered that if charge is established minor punishment should be inflicted relying on clause 29 : 1. It transpires that on proof of charge management instead of imposing punishment under clause 29 : 1 issued order of dismissal as per clause 29: 1 (ii) of the Certified Standing Order which I consider is unjust and improper. It is seen that concerned workman was issued with the chargesheet for his remaining unauthorised absence for a period of five months approximately dismissed from service on the ground of remaining unauthorised absence for a period of five months approximately I consider is absolutely unjustified and not proportionate to the misconduct committed by him though it has been claimed that his past conduct relating to his attendance was not good.

In view of the facts and circumstances discussed above on review. I hold that order of dismissal from service issued against the concerned workman is liable to be set aside and he should be reinstated in service. However, the concerned workman neither should get back wages nor increments for the period from 19-4-2000 till he is re-employed

to his duties within three months after publication of the award in the Gazette of India.

In the result the following award is rendered :

- That management of BCCL Simlabahal Colliery is not justified in dismissing Sri Pancham Hari from service w.e.f. 23-1-2002 and accordingly order of his dismissal from service issued by the management is hereby set aside.

Management is directed to reinstate the concerned workman to his service within three months from the date of publication of award in the Gazette of India. The concerned workman during the period from 19-4-2000 to till his joining in duty neither will get any back wages nor any increment."

B. BISWAS, Presiding Officer

नई दिल्ली, 3 नवम्बर, 2005

का. आ. 4530—औद्योगिक विवाद अधिनियम, 1947 (1947

का 14) की धारा 17 के अनुसार में, केन्द्रीय सरकार भा. को. को. लि. के प्रबंधतंत्र के सबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/प्रम न्यायालय, धनबाद-II के पंचाट (संदर्भ संख्या 52/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-11-2005 को प्राप्त हुआ था।

[सं. एल-20012/4/2003-आई आर (सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 3rd November, 2005

S.O. 4530—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 52/2003) of the Central Government Industrial Tribunal/Labour Court, Dhanbad-II now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 3-11-2005.

[No. L-20012/4/2003-IR (C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT:

Shri B. Biswas, Presiding Officer

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947

Reference No. 52 Of 2

PARTIES : Employers in relation to the management of Kusunda Colliery Kusunda Area of M/s. BCCL and their workman.

APPEARANCES :

On behalf of the workman : Mr. N.G. Arun, Ld. Advocate

On behalf of the management : Mr. U.N. Lal, Ld. Advocate

State : Jharkhand Industry : Coal

Dated, Dhanbad, the 3rd September, 2005

AWARD

The Govt. of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/4/03-I.R. (C-I), dated the 27th June, 2003.

SCHEDULE

"Whether the action of the management of Kusunda Colliery of M/s. BCCL in not accepting the V.R.S. (F) of Smt. Shakuntala Kamin and thereby denying the employment to her son Shri Santosh Modi alias Santosh Kora is fair and justified? If not, to what relief is the said workman or her dependant entitled?"

2. The case of the management in brief is as follows :

Management submitted that Smt. Shakuntala Kamin W/o Shri Dasu Modi submitted application for employment of her son Santosh Modi under V.R. (F) Scheme, the said application was forwarded to H.Q. at Koyla Bhawan. They submitted that as per service record name of the son of the concerned female worker was recorded as Santosh Kora whereas in the application his name was disclosed as Santosh Modi. They submitted that due to difference of title recorded in the official paper and the papers submitted by the concerned female worker claiming for employment of her son under VR(F) Scheme could not be considered and for which the name was rejected as per clause III(General) of the said V. R. (F) Scheme.

They submitted that the said female worker remained in service as her prayer for voluntary retirement was not accepted. Accordingly, there was no scope of sustaining any loss by her for her remaining in the service. In spite of this fact she raised an Industrial Dispute for conciliation which ultimately resulted reference to this Tribunal for adjudication. In view of these facts and circumstances management submitted prayer to pass award rejecting her claim.

Record shows that inspite of giving several opportunities as the sponsoring union failed to submit any written statement of the instant case was fixed for exparte hearing of the management.

3. POINTS TO BE DECIDED

"Whether the action of the management of Kusunda Colliery of M/s. BCCL in not accepting the V.R.S. (F) of Smt. Shakuntala Kamin and thereby denying the employment to her son Shri Santosh Modi alias Santosh Kora is fair and justified? If not, to what relief is the said workman or her dependant entitled?"

4. FINDING WITH REASONS

It transpires from the record that during hearing of this case management examined one witness as M.W.I. This witness during his evidence disclosed that management introduced V.R. Scheme for the female workers and in response to that scheme the concerned female worker submitted application for acceptance of her resignation and simultaneously promoted the name of her son Santosh Kumar Modi for his employment along with all relevant papers including her matriculation certificate. Her said application was duly forwarded to H.Q. and during scrutiny of those papers along with official record it was detected that in the service excerpt surname of her son while recorded as Kora in the application and matriculation certificate his surname was recorded as Modi and on that ground the H.Q. rejected the claim of the concerned workman for employment of her son. The H.Q. also did not accept her resignation also and for which after completing full term of service she has got her superannuation on attaining the age of sixty years. This witness further disclosed that being aggrieved with the said decision she raised an Industrial Dispute before ALC(C) where they submitted reply in writing and disclosed under which circumstances the claim of the concerned workman could not be accepted. The reply given by the Dy. C.P.M., Kusunda Area during evidence of M.W. I was marked as Exht. M/3. From this reply it transpires that as the surname 'Modi' of the son of the concerned workman did not tally with his surname disclosed in the service excerpt his candidature was rejected and for which there was no question to provide him employment accepting resignation of the concerned workman. It transpires from the document marked as Exht. M/3 that concerned workman though used her surname as 'Kamin' the surname of her husband was 'Modi'. In natural course it is expected that son will adopt the surname of his father and consequently his surname in the matriculation certificate was recorded as 'Modi'.

The question which has been cropped up here how in the service excerpt surname of the son of the concerned workman was recorded as 'Kora' instead of 'Modi'. The concerned workman had the scope to clarify this fact by adducing cogent evidence. It is seen that inspite of raising

Industrial Dispute neither the concerned workman nor the sponsoring union considered necessary to cause there appearance in course of hearing of this case. Inspite of getting ample opportunity even they did not ever consider necessary to submit written statement and documents to refute the claim of the management. The surname 'Kora' neither is the surname of the concerned workman nor of her husband. Accordingly, burden of proof was on the sponsoring union to substantiate that Santosh Kora and Santosh Modi are same and identical person. They also had the scope to explain under which circumstances the son of the concerned workman in the service excerpt was recorded as Santosh Kora.

Concerned workman promoted the name of her son for his employment. It is expected that particulars furnished to that effect should be in conformity with the particulars preserved in the official record. As the surname of the son of the concerned workman differed management rightly became suspicious about genuinity of the person concern. It is the claim of the management that as the concerned workman failed to give any satisfactory explanation relating to gross discrepancy cropped up over surname of her son they could not consider employment of her son.

Considering record I find no hesitation to say that the concerned workman failed to show slightest interest to result the claim of the management. Inspite of getting ample opportunity. In view of such situation I find no scope to disbelieve the claim of the management under which circumstances they rejected the claim of the concerned female worker to provide employment of her son.

In the result of the following award is rendered exparte :

"That action of the management of Kusunda Colliery of M/s. BCCL in not accepting VRS (F) of Smt. Sakuntala Kamin and thereby denying the employment to her son Shri Santosh Modi @ Santosh Kora is fair and justified. Consequently concerned female worker is not entitled to get any relief."

B. BISWAS, Presiding Officer

नई दिल्ली, 7 नवम्बर, 2005

का. आ. 4531.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टैण्डर्ड चार्टर्ड ग्रिडलेज बैंक लि. के प्रबंधतात्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण सं. I, मुम्बई के पंचाट (संदर्भ संख्या 16 का 2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-11-2005 को प्राप्त हुआ था।

[सं. एल-12012/309/2001-आई आर (बी-1)]

अजय कुमार, डैस्क अधिकारी

New Delhi, the 7th November, 2005

S.O. 4531.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 16 of 2002) of the Central Government Industrial Tribunal No. 1, Mumbai, now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Standard Chartered Grindlays Bank Ltd. and their workmen, which was received by the Central Government on 7-11-2005.

[No. L-12012/309/2001-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1

MUMBAI

PRESENT

JUSTICE GHANSHYAM DASS,

Presiding Officer

Reference No. CGIT-16 of 2002

PARTIES: Employers in relation to the management of Standard Chartered Grindlays Bank Ltd.

And

Their workmen (Smt. Leena Patade)

APPEARANCES:

For the Management : Mrs. P.S. Shetty, Adv.

For the Workman : Mr. Umesh Nabar, Adv.
workman present in person.

State : Maharashtra

Mumbai, dated the 21st day of October, 2005.

AWARD

1. This is a reference made by the Central Government in exercise of its powers under clause (d) of sub Section-1 of Section 10 of the Industrial Disputes Act, 1947 (the Act for short). The terms of reference given in the schedule are as follows:

"Whether the disputant, Smt. Leena Patade, comes under the definition of workman in the I.D. Act, 1947? If so, whether the action of the management of the Standard Chartered Grindlays Bank Limited in

terminating the services of Smt. Patade is justified?
If not, what relief the applicant is entitled?"

2. Nothing is argued by the parties on the merits of the reference, as the parties have settled their matter outside the tribunal sitting across the table. The disputant Smt. Leena Patade has moved an application in the form of affidavit along with Annexure "A" with a prayer that she has settled the dispute with the management as per terms and conditions mentioned in Annexure "A". She does not have any grievances against the management. The terms and conditions are agreeable to both the parties.

3. In these circumstances, the Award is decided in accordance with the terms and conditions laid down in Annexure "A" to the affidavit dated 21-10-2005 which shall form part of the Award.

JUSTICE GHANSHYAM DASS, Presiding Officer

ANNEXURE 'A'

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT MUMBAI

Reference CGIT No. 1/16 of 2002

Between :

Standard Chartered Bank ... First Party.

And

Leena A. Patade ... Second Party.

CONSENT TERMS

May it please this hon'ble tribunal:

Both parties in the above matter humbly submit that they have amicably settled the subject matter of the above numbered Reference being Reference CGIT No. 1/16 of 2002 pending before this Hon'ble Tribunal, on the following terms:

1. It is agreed by and between the parties that subject to the terms provided herein below, the Order of termination dated 15-01-2001 issued by the First Party to the Second Party shall stand withdrawn and the Second Party shall be deemed to have resigned from the services of the Bank from the said date. The Second Party shall not be entitled for Salary and Allowances/Benefits for the period from 15-01-2001 till date except to what is provided herein.

2. The First Party agrees to pay the Second party a flat ex-gratia amount of Rs. 8,79,978.00 (Rupees Eight Lacs seventy nine thousand nine hundred seventy eight only) which is inclusive of an amount of Rs. 7,14,978.00 (Rupees Seven Lacs fourteen thousand nine hundred seventy eight only) as Ex-gratia and an amount of Rs. 1,65,000.00 (Rupees

One Lac Sixty five thousand only) as Tax Benefit. The payment is however subject to recoveries/deduction/adjustment to be made by the First Party Bank towards her outstanding Housing/Personal loan balances. In addition she will be paid her Terminal Benefits/Legal dues viz. Gratuity, Privilege Leave Encashment and Settlement of her Provident Fund accumulation with interest payment thereon.

3. The Second Party admits and agrees to repay the First Party an amount of Rs. 9,26,829.00 (Rupees Nine Lacs twenty six thousand eight hundred Twenty nine only) towards the Outstanding balance of the Housing loan availed by her from the First Party Bank for purchase of Flat No. B1/601 in Rutu Park Co-operative Housing Society Ltd Thane, (hereinafter referred to as "the said flat") and an amount of Rs. 78,750.00 (Rupees Seventy Eight thousand seven hundred fifty only) towards the outstanding balance of the Personal loan availed by her from the First Party.

4. That the Second Party is entitled to receive Gratuity amounting to Rs. 1,06,246.00 (Rupees One Lac Six thousand two hundred forty six only) from the First Party and her other Terminal Benefits/Legal dues arising out of her employment/services with the First Party relating to Privilege Leave. Encashment and Settlement of her Provident Fund accumulations with interest payment thereon.

5. Accordingly, the First party Bank agrees to pay a net amount of Rs. 3,75,000.00 (Rupees Three Lacs Seventy five thousand only) to the Second Party in full and final settlement of all her dues/claims arising out of the above numbered Reference and her Employment with/Termination from the First Party Bank including her dues/claims relating to Eamed Wages, Privilege Leave Encashment, Provident Fund, Gratuity, Ex gratia, Compensation, Reinstatement, Back Wages, etc. after deductions/adjustment/recovery of the Housing Loan balance of Rs. 9,26,829.00 (Rupees Nine Lacs Twenty Six thousand eight hundred twenty nine only) and Personal Loan of Rs. 78,750/- (Rupees Seventy Eight thousand seven hundred fifty only) availed by her from the First Party Bank.

6. That the Second Party declares that besides being entitled for spread over, she is also not liable to pay any income-tax on the said amount of Rs. 3,75,000.00 being paid to her. In view of this the First Party Bank shall not deduct any income-tax on the said amount of Rs. 3,75,000.00 (Rupees Three Lacs Seventy five thousand only).

7. That since the aforesaid amount of Rs. 3,75,000.00 (Rupees Three Lacs Seventy Five thousand only) is being paid to the Second Party as a Net amount after Adjustment/

of Recovery of the outstanding balance of the Housing Loan of Rs. 9,26,829.00 (Rupees Nine Lacs Twenty Six thousand eight hundred twenty nine only) and Personal Loan of Rs. 78,750.00 (Rupees Seventy Eight thousand seven hundred fifty only) respectively from the ex gratia amount agreed to be paid to the Second Party by the First Party it is agreed that all Original Agreements/Documents pertaining to the said Flat No. B1/601, Rutu Park Co-operative Housing Society Ltd., Thane, lodged with the First Party Bank at time of availing the loan shall be returned to the Second Party as the full outstanding Housing Loan Balance amount has been adjusted/recovered by the Bank as above and in view of this, the Bank shall thereafter not have any claim and/or lien on the said Flat.

8. Upon payment of the net amount of Rs. 3,75,000.00 by the First Party to the Second Party, it is agreed that the Second Party shall have no claim of any nature whatsoever, monetory or otherwise and the said amount shall be in full satisfaction of all her terminal & legal dues and claims for Reinstatement, Back Wages, Re-employment, etc., arising out of the above numbered Reference and her empayment with/termination from the Bank.

9. The payment of the above referred net amount of Rs. 3,75,000.00 (Rupees Three Lacs Seventy Five thousand only) shall be made by the First Party to the second Party within 21 days of the passing of the Order by this Hon'ble Tribunal disposing off the above numbered Reference.

10. In view of the aforesaid, both parties pray that the above numbered Reference may please be disposed off as settled as per the above Consent Terms and this Hon'ble Tribunal may be pleased to pass a Consent Award accordingly.

Mumbai	For First Party	For Second Party
Dated 21-10-2005	(Siba Satpathy) Sr. Manager-H. R.	(Leena Patade)

Advocate for First Party Advocate for Second Party

नई दिल्ली, 7 नवम्बर, 2005

का. आ. 4532.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) को धारा 17 के अनुसरण में, केन्द्रीय सरकार नालंदा ग्रामीण बैंक के प्रबंधतात्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण सं. 2, धनबाद के पंचाट (संदर्भ संख्या 37/97) को प्रकाशित करती है, जो केन्द्रीय सरकार को 07-11-2005 को प्राप्त हुआ था।

[सं. एल-12012/47/1996-आइ आर (बी-1)]

अजय कुमार, डैस्क अधिकारी

New Delhi, the 7th November, 2005

S.O. 4532.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 37/1997) of the Central Government Industrial Tribunal No. 2, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Nalanda Gramin Bank and their workmen, which was received by the Central Government on 07-11-2005.

[No. L-12012/47/1996-IR(B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri B. Biswas, Presiding Officer

In the matter of an Industrial Dispute under Section
10(I)(d) of the I.D. Act, 1947

Reference No. 37 of 1997

PARTIES : Employers in relation to the management
of Nalanda Gramin Bank, Bihar Sharif,
Nalanda and their workmen.

APPEARANCES :

On behalf of the Workman : Mr. K. Chakraborty, Ld.
Advocate

On behalf of the Management : Mr. A. K. Sinha, Pers.
Manager

State: Jharkhand Industry : Bank

Dated, Dhanbad, the 3rd October, 2005

AWARD

The Govt. of India, Ministry of Labour in exercise
of the powers conferred on them under Section 10(I)(d)
of the I.D. Act, 1947 has referred the following dispute to
this Tribunal for adjudication vide their Order No.
L-12012/47/96-IR. (B), dated, the 25th March, 1997.

SCHEDULE

"Whether the action of the Management of Nalanda
Gramin Bank, Bihar Sharif in terminating the services
of Shri Jainendra Kumar, Sweeper-cum-Messenger
is legal and justified? If not, to what relief the
concerned workman is entitled to?"

2. The case of the concerned workman according to
written statement submitted by him in brief is as follows :

The concerned workman submitted that he was

engaged orally by the management on 29-7-1991 as a messenger-cum-part time sweeper. He submitted that his duty hours was from 10 a.m. to 5 p.m. and during this period he had to form different official work including the work of sweeping but against such work management used to pay him wages @ Rs. 10/- per day from 29-7-91 to 31-12-92 and @ Rs. 75 per month from 1-1-1993 to 31-9-1993 through vouchers. He submitted that he used to perform his duties against permanent vacancy at Meghara Branch but management without giving any notice or compensation terminated him from service w.e.f. 1-10-1993 inspite of the fact that he put his attendance for more than 240 days in each year.

He submitted that against his retrenchment from work he raised his protest and requested the management to reinstate him in service but to no effect and for which he raised an Industrial Dispute before ALC (C) Patna for conciliation which ultimately resulted reference to this Tribunal for adjudication.

Accordingly, concerned workman submitted his prayer to pass award directing the management to reinstate him with effect from the date of termination of his service with full back wages and other consequential relieve.

3. Management on the contrary after filing written statement-cum-rejoinder have denied all the claims and allegations which the concerned workman asserted in the written statement submitted by him.

They submitted that one Chhote Prasad was posted as Peon-cum-Messenger from 1-8-1989 at Meghara Branch. Said Chhote Prasad died on 5-1-1993 while in service and for which as per Bank's rule his widow Rita Devi was given employment on compassionate ground w.e.f. 1-10-1993 as Messenger-cum-sweeper and posted at Meghara Branch where she joined on 4-10-1993. They submitted that after the death of Chhote Prasad sweeping work of the said Branch had to be done by different local labours and the duration of such work was for 20 to 30 minutes per day. They submitted that in between the period from 5-1-1993 and 4-10-1993, i.e. on and from the date of death of Chhote Prasad till date of joining his widow Rita Devi the sweeping work of the Branch had to be carried on in that way. They submitted that on contract basis sweeping work for the period from 5-1-1993 to 31-7-1993 was given to the concerned workman with contract wages of Rs. 75/- p.m.

They submitted that Chairman of the Bank is the only competent authority to appoint any employee of the bank. It has been further submitted that no candidate other than those sponsored by Employment Exchange could be called for interview for appointment in the post of Messenger-cum-sweeper. They further submitted that as per Circular issued by Govt. of India based on NABARD that sweeper engaged on contract basis and paid out of contingency cannot be considered as R.R.B. personnel.

They submitted that concerned workman on contract basis was engaged as sweepers absolutely for a temporary period and for which there was no question of putting his attendance in the bank for more than 240 days in a year and for which there was no question either to issue any notice or to pay any compensation to him u/s 25 F of the I.D. Act.

Accordingly they submitted prayer to pass award rejecting the claim of the concerned workman.

4. Points to be Decided

“Whether the action of the management of Nalanda Gramin Bank, Biharsharif in terminating the services of Shri Jainendra Kumar, Sweeper-cum-Messenger is legal and justified? If not, to what relief the concerned workman is entitled to?”

5. Finding with Reasons

It transpires from the record that inspite of giving repeated opportunity as the concerned workman failed to take any step excepting filing his written statement the case was fixed for exparte evidence of the management.

During exparte hearing management examined one witness as M. W. I considering the fact disclosed in the pleadings of both sides and also considering evidence of M. W. II find no dispute to hold that management engaged the concerned workman as sweeper at their Mahara Branch. M. W. I during evidence disclosed that on the basis of oral contract the concerned workman was engaged as sweeper w.e.f. 5-1-1993 to 31-7-1993 to work as sweeper for a period of one/two hours per day against payment of wages @ Rs. 75 p.m. It is the contention of the management that one Chhote Prasad was permanent messenger-cum-sweeper at Mahara Branch. He died on 5-1-1993 while he was in service. After death of Chhote Prasad his widow Rita Devi submitted application for the appointment as sweeper on compassionate ground. As per Bank's rule her prayer was considered and got her appointment as such on 1-10-1993 and posted at Mahara Branch. She joined here on 4-10-1993. Disclosing this fact management submitted that there was no question of giving him employment in the post of messenger cum sweeper w.e.f. 29-7-1991 as Chhote Prasad was at that time posted in the said branch on regular basis. They submitted that during leave and sick vacancy during the period 29-7-1991 to 31-12-1992 he was engaged for a period of only sixty days absolutely on part time basis and for which due wages was paid to him through vouchers. Concerned workman in para 3 of his written statement admitted the fact that he was engaged by the management as messenger-cum-part time sweeper. Therefore, it is clear that he was not engaged on full time basis. Accordingly there was no scope at all to render his service from 10 a.m. to 5 p.m. Moreover, it is the specific contention of the management that during leave and sick vacancy of Chhote Prasad he was engaged to perform the said job during the period which has been claimed by the concerned workman. It is not expected that to perform the same job in existence

of regular sweeper management would engage another sweeper until and unless there was any exigency. Therefore, burden of proof is on the concerned workman to substantiate his such claim. Management submitted that Choote Prasad died on 5-1-1993 the concerned workman was engaged as part time sweeper on contract basis and worked upto 31-7-1993. On the contrary claim of the concerned workman is that he was regularly engaged by the management on 1-1-1993 and worked in that capacity till 31-9-1993 and thereafter he was stopped from his work without giving any notice or paying any compensation. Burden of proof is on the concerned workman to establish that though he put his attendance for more than 240 days management did not comply the provision as laid down in Sec. 25-F of the I.D. Act before he was stopped from his service particularly when it is specific claim of the management that (1) he was engaged on contract basis to perform his duties as part time sweeper and (2) duration of work was absolutely limited and less than 240 days and for which there was no scope at all either to issue notice or to pay any compensation before he was stopped from service.

It is seen that the concerned workman just ventilating his claim in the written statement has finished his job as he did not consider necessary to substantiate his claim by adducing cogent evidence. Facts disclosed in the written statement cannot be considered as substantive piece of evidence until and unless the said fact is established by adducing cogent evidence. Record shows that plenty of opportunity was given to the concerned workman to justify his claim but he was failed to take opportunity of the same.

Considering all facts and circumstances discussed above I hold that the concerned workman has failed to justify his claim and for which he is not entitled to get any relief.

In the result the following award is rendered :

AWARD

That the action of the management of Nalanda Gramin Bank, Biharsharif in terminating the service of Shri Jainendra Kumar, Sweeper-cum-Messenger is legal and justified. Consequently, the concerned workman is not entitled to get any relief.

B. BISWAS, Presiding Officer

नई दिल्ली, 7 नवम्बर, 2005

का. आ. 4533.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार कमांडर, हैडक्वार्टर्स, पुणे सब एरिया के प्रबंध धरत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, पुणे के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-11-2005 को प्राप्त हुआ था।

[सं. एल-14012/4/2004-आई आर (डीयू)]

कुलदीप राय चर्मा, डेस्क अधिकारी

New Delhi, the 7th November, 2005

S.O. 4533—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Pune as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Commander, HQ, Pune Sub Area and their workman, which was received by the Central Government on 7-11-2005.

[No. L-14012/4/2004-IR (DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

BEFORE SHRI V.G. INDRALE, INDUSTRIAL TRIBUNAL, MAHARASHTRA AT PUNE

REFERENCE (IT) NO. 34 OF 2004

ADJUDICATION

Between

Management of HQ, Pune Sub Area, Pune

And

The workman employed under them.

In the matter of termination of services of Sh. Santosh Khokar.

Appearances : None for either side.

AWARD

(Date : 15-10-2005)

Ministry of Labour, Government of India, New Delhi, has referred the dispute to this Tribunal, as to whether the action of the management of HQ, Pune Sub Area, Pune, in terminating the services of Shri Santosh Khokar, Conservancy Safaiwala w.e.f. 11-4-2000 is legal and justified.

2. After the receipt of reference, notices in appropriate forms were issued to first party and second party workman.

3. It appears that inspite of service of notice, second party Shri Santosh Khokar did not choose to appear before the Tribunal. Likewise the case in respect of first party. Again, notice by R.P.A.D. was sent to second party workman and the same is returned unserved.

4. Thus, after going through the record, it appears that the second party workman is not at all interested in proceeding with the reference. So, I have no alternative except to answer the reference in the negative. In result, I pass the following order :

ORDER

1. Reference is answered in the negative.

2. Award be drawn accordingly.

V.G. INDRALE, Industrial Tribunal

नई दिल्ली, 8 नवम्बर, 2005

S.O. 4534—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पंजाब एवं सिन्ध बैंक के प्रबंधतात्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/प्रम न्यायालय, लखनऊ के पंचाट (संदर्भ संख्या 166/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-11-2005 को प्राप्त हुआ था।

[सं. एल-12012/109/2002-आई आर (ची II)]

सौ. गंगाधरन, अवर सचिव

New Delhi, the 8th November, 2005

S.O. 4534—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 166/2002) of the Central Government Industrial Tribunal-cum-Labour Court, Lucknow as shown in the Annexure in the Industrial Dispute between the management of Punjab & Sind Bank, and their workman, received by the Central Government on 7-11-2005.

[No. L-12012/109/2002-IR (B-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT

LUCKNOW

PRESENT :

SHRIKANT SHUKLA, Presiding Officer

I.D. No. 166/2002

Ref. No. L-12012/109/2002-IR (B-II) DT.11-10-2002

BETWEEN

Sh. Shambhu Nath Sharma
R/o Tulsi Chowk Imamganj,
New Shagun Restaurant,
Mirzapur (U.P.) 231001

And

The Zonal Manager
Punjab & Sind Bank
Zonal Office, Lalbagh,
Lucknow -226001

AWARD

The Government of India, Ministry of Labour, New Delhi vide its order no.L-12012/109/2002-IR (B-II)

11-10-02 referred the following dispute to Presiding Officer, CGIT-cum-Labour Court, Lucknow for adjudication;

"WHETHER THE ACTION OF THE MANAGEMENT OF PUNJAB AND SIND BANK IN TERMINATING THE SERVICES OF SHRI SHAMBHU NATH SHARMA W.E.F. 4-1-2002 IS LEGAL AND JUSTIFIED IF NOT, WHAT RELIEF HE IS ENTITLED FOR?"

The worker's case is in brief is that he worked as temporary Peon from 20-3-98 to 3-1-02. His services were abruptly terminated by the manager of the bank i.e. Punjab & Sind Bank. It is alleged that he was working on Extension Counter, Ganeshganj, Mirzapur. There was no post of permanent Peon. It is also alleged that the worker was initially paid salary @ Rs.80/- per day which was subsequently raised to Rs.40/-Rs.50/- and ultimately it was raised Rs 60/- per day excluding sundays and holidays. It is alleged that the worker has worked for more than 240 days for whole calander year preceding the date of termination of his services. The management of bank did not give notice of termination nor notice pay or retrenchment compensation and thus they violated the provision of I.D. Act. 47. Worker has prayed that no hold that the termination w.e.f. 4-1-2002 is illegal unjust and also prayed worker be reinstated back in the service with full back wages.

Opposite party has filed written statement and has submitted that the Branch Manager or Incharge of Extension counter of the bank has no power to employ any person in any cadre and the claimant does not fall within the definition of the worker, now ever, it is admitted that the worker was engaged for casual nature of work not as Peon. It is alleged that he never worked for full day. Had he been engaged as temporary or permanent Peon, he might have availed the provision of Section 33 (c) 2 of I.D. Act. 1947 and not through conciliation proceedings of Asstt. Labour Commissioner (C). It is also alleged that neither the extension counter incharge was empowered to employ any one nor he had any approval of the competent authority. It is also alleged that since worker was not a employee of the bank and therefore there existed no relationship of employer and employee between the parties. It is further submitted that the recruitment of non clerical staff are done in a prescribed manner by the competent authority. In view of above worker is not entitled to any compensation, wages, reinstatement from the opposite party. Lastly it is submitted that the worker seeks back door entry by way of this litigation and therefore claim petition is liable to be dismissed with cost.

The worker has filed rejoinder wherein he reiterated the facts of statement of claim. The worker has filed affidavit alongwith photo copy of ledger book about bonus being paid to Shambhu Nath Sharma paper No. 16/3 to 16/5. Worker has also filed photo copy of 2 letters, Manager Punjab & Sind Bank addressed to Divisional Manager, Lalbagh, Lucknow dt. 28-1-98 paper No. 16/6 and letter of

Branch Manager addressed to Zonal Manager Lalbagh, Lucknow dt. 20-1-98 paper No.16/7.

Worker has also filed photo copies of unsigned letter of Manager addressed to Divisional Manager, Lalbagh, Lucknow paper No.16/8.

Besides above photo copies of documents worker has also filed the photo copy of Sri H. Ram letter dt. 3-2-2000, 16-2-2000, 15-11-2000. Worker has also filed photo copy of letter of Branch Manager addressed to Asstt. General Manager informing him about engagement of casual labour dt. 3-1-2002. Worker has also filed service certificate. Worker has examined himself in support of his case. Sri Siddarth Singh of the opposite party has been examined. The worker's representative is present opposite party representative absent. Therefore heard worker representative alone.

Worker has alleged that his employment in Punjab & Sind Bank extension counter, Ganeshganj, Mirzapur was as temporary peon and he has alleged that he has worked on the said extension counter w.e.f. 20-3-98 to 3-1-2002 and has also alleged that he worked for more than 240 days preceding the date of termination of his services.

Opposite party has denied the appointment of Shambhu Nath Sharma as temporary Peon and has alleged that he was employed as casual worker. The duration has not been disputed specifically in the written statement. It is admitted by the worker that he was not offered any appointment letter and nor was given any termination letter. It is pleaded by the worker in his pleadings that he was paid wages at the rates which was initially Rs.30/- and thereafter it was increased from time to time lastly he was paid Rs. 60/- per day. In absence of any written appointment, the worker can not be believed that the worker regular worker on the contrary from totality of the evidence I come to the conclusion that he was daily wage earner, casual worker who was paid only on the days he worked. It is also admitted fact that the worker was paid bonus in 1998-99, 1999-2000, 2000-2001 even Manager of the Punjab & Sind Bank Sri Siddarth Singh has admitted the payment of bonus is as follow :

1. 1998-99	Rs.845/-
2. 1999-2000	Rs.896/-
3. 2000-2001	Rs.1236/-

Sri Siddarth Singh has also admitted that preceding date of his termination the worker worked 224 days in 12 calander months, however, he has admitted that the worker has worked as follows:

1. 1998-99	291 days
2. 1999-2000	279 days
3. 2000-2001	287 days

On 22-7-2005 the Manager Sri Siddarth Singh has given the details of 12 months is as under;

1. Jan. 2002	3days
2. Dec. 2001	24days
3. Nov. 2001	21days
4. Oct. 2001	27days
5. Sept. 2001	24days
6. Aug. 2001	24days
7. July, 2001	27days
8. June 2001	24days
9. May 2001	21days
10. April 2001	21days
11. March 2001	24days
12. Feb. 2001	23days
13. Jan. 2001	24days

If we count above days then from Feb. 2001 to Jan. 2002 the worker has worked for 263 days and not 224 days as stated by him on the same day on examination.

Manager Sri Siddarth Singh has tried to say that bonus has illegally paid. It appears to be wrong statement as casual labours are also entitled to bonus. Even if it is presumed that the bonus is illegally paid then the employment of the worker as casual worker, it is admitted and it is prove that prior to his termination he worked more than 240 days in 12 calendar months and therefore he could not be retrenched without notice, notice pay and compensation.

It is also admitted fact that in the year 1998 there was a person named Pradeep Kumar who was Peon on the extension counter Ganeshganj, Mirzapur who was subsequently promoted.

Whether worker Sri Shambhu Nath Sharma was casual employee or regular employee is meaning less the fact is that he was engaged as casual labour he ought to have been retrenched by observing the provision contained in Section 25 F of the I.D. Act which is as follows ;

25 F of the I.D. Act. 1947 :

No workman employed in any industry who has been in continuous service for not less than one year under an employer shall be retrenched by that employer until—

(a) the workman has been given one month's notice in writing indicating the reasons for retrenchment and the period of notice has expired, or the workman has been paid in lieu of such notice, wages for the period of the notice,

(b) the workman has been paid, at the time of retrenchment, compensation which shall be equivalent to

fifteen days average pay (for every completed year of continuous service) or any part thereof in excess of six months; and

(c) notice in the prescribed manner is served on the appropriate Government (for such authority as may be specified by the appropriate Government by notification in the Official Gazette).

The plea that the casual labour Shambhu Nath Sharma was not a worker in Punjab & Sind Bank extension counter Ganeshganj Mirzapur is not open to the management of the bank. The issue therefore answered in negative in favour of the worker and also I come to the conclusion that the worker is entitled to be reinstated. There is no order is to backwages as the worker was daily wage earner and he was to be paid wages only on days he worked. However, he is entitled to compensation @ Rs.500/- per month from the date of his termination till the date of his reinstatement. Award accordingly. However, he will not be entitled any bonus for the period he was out of job.

Lucknow

27-10-2005

SHRIKANT SHUKLA, A Presiding Officer
नई दिल्ली, 8 नवम्बर, 2005

का. आ. 4535.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा० को० को० लि० के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय औद्योगिक अधिकरण/प्रम्प न्यायालय, धनबाद 1 के पंचाट (संदर्भ संख्या 72/1998) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-11-2005 को प्राप्त हुआ था।

[सं. एल-20012/703/97-आई आर (सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 8th November, 2005

S.O. 4535.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 72/1998) of the Central Government Industrial Tribunal/Labour Court, Dhanbad-I now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 8-11-2005.

[No. L-20012/703/97-IR (C-I)]

S.S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference U/S. 10(1)(d)(2A) of
I. D. Act, 1947.

REFERENCE NO. 72 OF 1998.

Parties : Employers in relation to the management of Kusunda Area of BCCL.

AND
Their Workmen.

Present : Shri Sarju Prasad, Presiding Officer

Appearances :

For the Employers : Shri U. N. Lal, Advocate.

For the Workmen : None.

State : Jharkhand. Industry : Coal.

Dated, the 21st October, 2005.

AWARD

By Order No. L-20012/703/97-IR(C-I) dated 10-9-1998 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-sec. (1) and sub-sec. (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the action of the management of Kusunda Area of BCCL in not regularising Sri Murli Bind, Drillman of KCCP, Dhansar in Excvn. Gr. D after completion of his training and in not providing subsequent promotions is legal and justified? If not, to what relief the workman is entitled?”

2. This reference case is of the year 1998. But despite issuance of registered notice to the parties even to day neither anyone has appeared nor any written statement has been filed on behalf of the concerned workman. It, therefore, appears that neither the concerned workman nor the sponsoring union is interested to contest the case.

3. In such circumstances, I render a ‘No Dispute’ Award in the present reference case.

SARJU PRASAD, Presiding Officer

नई दिल्ली, 8 नवम्बर, 2005

का. आ. 4536.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई. सी. एल. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, धनबाद I के पंचाट (संदर्भ संख्या 71/1998) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-11-2005 को प्राप्त हुआ था।

[सं. एल-20012/702/97-आई आर (सी-I)]

एस. एस. गुप्ता, अधर सचिव

New Delhi, the 8th November, 2005

S.O. 4536.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 71/1998) of the Central Government Industrial Tribunal/Labour Court, Dhanbad I now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of E.C.L. and their workman, which was received by the Central Government on 8-11-2005.

[No. L-20012/702/97-IR (C-I)]

S.S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD.

In the matter of a reference u/s. 10 (1) (d) (2A) of
I. D. Act.

Reference No. 71 of 1998.

Parties : Employers in relation to the management of Chapapur Colliery of Mugma Area of ECL.

AND

Their Workmen.

Present : Shri Sarju Prasad, Presiding Officer.

Appearances :

For the Employers : None.

For the Workmen : None.

State : Jharkhand. Industry : Coal.

Dated, the 21st October, 2005.

AWARD

By Order No. L-20012/702/97-IR(C-I) dated 10-9-1998 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-sec. (1) and sub-sec. (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the action of the management of Chapapur Colliery of Mugma Area of ECL in not providing employment to the dependent of Late Barshan Rai, Ex-Fan Khalasi, Chapapur Colliery under para 9.4.2 of NCWA is legal and justified? If not, to what relief the dependent is entitled?”

2. This reference case was received in this Tribunal on 21-9-1998. Despite sending registered notice to the parties even to day none has appeared to file written statement on behalf of the concerned workman. It,

therefore, appears that neither the concerned workman nor the sponsoring union is interested to contest the case.

3. Under such circumstances, I render a 'No Dispute' Award in the present reference case.

SARJU PRASAD, Presiding Officer

नई दिल्ली, 8 नवम्बर, 2005

का. आ. 4537.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा०को०को०लि० के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, धनबाद I के पंचाट (संदर्भ संख्या 15/99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-11-2005 को प्राप्त हुआ था।

[सं. एल-20012/219/98-आई आर (सी-I)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 8th November, 2005

S.O. 4537.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 15/99) of the Central Government Industrial Tribunal/Labour Court, Dhanbad I now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 8-11-2005.

[No. L-20012/219/98-IR (C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD.

In the matter of a reference u/s. 10 (1) (d) (2A) of
I. D. Act.

Reference No. 15 of 1999.

Parties : Employers in relation to the management of Kusunda Area of M/S. BCCL.

AND

Their Workmen.

Present : Shri Sarju Prasad, Presiding Officer.

Appearances :

For the Employers : None.

For the Workmen : None.

State : Jharkhand. Industry : Coal.

Dated the 20th October, 2005.

AWARD

By Order No. L-20012/219/98-IR (C-I) dated 29-1-1999 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-sec. (1) and sub-sec. (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management of Kusunda Area of BCCL in not regularising S/Sri Lal Bihar Yadav and others as per list enclosed with protection of their wages in the respective categories is justified? If not, to what relief the workmen concerned are entitled to?"

2. This reference case was received in this Tribunal on 8-2-1999. Despite registered notice sent to the parties till to day (20-10-2005) no written statement has been filed on behalf of the concerned workmen. It, therefore, appears neither the concerned workmen nor the sponsoring union are interested to contest the case.

3. In such circumstances, I render a 'No Dispute' Award in the present reference case.

SARJU PRASAD, Presiding Officer.

नई दिल्ली, 8 नवम्बर, 2005

का. आ. 4538.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सीसीएल के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, धनबाद I के पंचाट (संदर्भ संख्या 36/99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-11-2005 को प्राप्त हुआ था।

[सं. एल-20012/246/98-आई आर (सी-I)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 8th November, 2005

S.O. 4538.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 36/99) of the Central Government Industrial Tribunal/Labour Court, Dhanbad I now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of CCL and their workman, which was received by the Central Government on 8-11-2005.

[No. L-20012/246/98-IR (C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD.

In the matter of a reference u/s. 10 (1) (d) (2A) of

I. D. Act

Reference No. 36 of 1999

Parties : Employers in relation to the management of
Mandman Colliery of M/s. E.C. Ltd.

AND**Their Workmen**

Present : Shri Sarju Prasad, Presiding Officer.

Appearances :

For the Employers : None.

For the Workmen : None.

State : Jharkhand Industry : Coal.

Dated, the 21st October, 2005.

AWARD

By Order No. L-20012/246/98-IR (C-I) dated 28-1-99/4-3-1999 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-sec. (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the demand of the union of regularisation of S/Smt. Chotarani Bourin and 109 others (as per list enclosed) of Mandman Colliery of Mugma Area of E.C.L. in time-rated Categories on the basis of their diversion in time-rated jobs is justified? If so, what relief the workers are entitled to?”

2. This is a reference of the year 1999. But despite sending registered notice to the parties even today (21-10-2005) no written statement has been filed on behalf of the workmen. It, therefore, appears that neither the concerned workman nor the sponsoring union are interested to contest the case.

3. Under such circumstances, I render a ‘No Dispute’ Award in the present reference case.

SARJU PRASAD, Presiding Officer

नई दिल्ली, 8 नवम्बर, 2005

का. आ. 4539.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को. ति. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार आद्योगिक अधिकरण/श्रम न्यायालय, धनबाद I के पंचाट (संदर्भ संख्या 129/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-11-2005 को प्राप्त हुआ था।

[सं. एल-20012/493/99-आई आर (सी-I)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 8th November, 2005

S.O. 4539.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 129/2000) of the Central Government Industrial Tribunal-cum-Labour Court, Dhanbad I now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 8-11-2005.

[No. L-20012/493/99-IR (C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. I, DHANBAD**

In the matter of a reference U/s. 10 (1) (d) (2A) of
I. D. Act.

Reference No. 129 of 2000

Parties : Employers in relation to the management of
Moonidih Project of M/S.B.C.C.Ltd.

AND**Their Workmen**

Present : Shri Sarju Prasad, Presiding Officer.

Appearances :

For the Employers : Shri R.N. Ganguly,
Advocate.

For the Workman : Shri S.C. Gour, Advocate.

State : Jharkhand Industry : Coal.

Dated, the 27th October, 2005

AWARD

By Order No. L-20012/493/99-IR (C-I) dated 28-2-2000 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-sec.(1) and sub-sec.(2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the action of the management of Moonidih Project of BCCL in suspending Shri Shyam Kishore Jha, T/No. 1115, Electrician for illegal occupation of company’s quarter and non-payment of subsistence allowance is legal and justified or not? If not, to what relief the concerned workman is entitled to?”

2. The case of the sponsoring union is that the concerned workman, Shyam Kishore Jha, T/No. 1115, Electrician was appointed in the year 1978 in Category-I Electrical Trade. In due course he was promoted upto

Category-IV Electrician. In October, 1992 a chargesheet was issued to him for having committed misconduct for unauthorised occupation of company's quarters and was asked to explain within three days. The concerned workman replied to the charges refuting the chargesheet as baseless, But without preliminary investigation/enquiry, he was placed under suspension with effect from the date of issue of the chargesheet i.e. 12-10-1992. The concerned workman was actually living in the company's quarters alongwith one Arjun Prasad, a clerk, to the knowledge of the company's officer and after retirement of Arjun Prasad he was given to understand that the said quarters was jointly allotted to him with Arjun Prasad. Therefore he continued to live in that quarters even after retirement of Arjun Prasad, a clerk of the Washery. Although the chargesheet was for minor punishment but the suspension of the concerned workman was not revoked after ten days of the suspension nor he was paid any subsistence allowance. Although as per the provision of Employment Standing Orders, 1946 the concerned workman was entitled for subsistence allowance but he has not been paid any subsistence allowance even on requests made by the workman. The management finding the reply of the concerned workman as fair and proper no further action was taken against him nor the management proceeded for holding a domestic enquiry against him. The concerned workman had made several representations and sent them by post for subsistence allowance, but he has not been paid any subsistence allowance. In the circumstances mentioned above the concerned workman has claimed that order of suspension and non-payment of subsistence allowance to the concerned workman is totally illegal, unjustified and wrongful act. Therefore, he is entitled for full subsistence allowance and after setting aside the order of suspension he may be allowed for duty with full back wages and continuity in service etc.

3. The case of the management, on the other hand, is that the reference is not legally maintainable and is bad in the eye of law. It is admitted that the concerned workman is a permanent employee of Moonidih Project of M/s BCCL and was working as Electrician. It is also admitted that a chargesheet was issued to the concerned workman which is dated 12-10-1992 under the Certified Standing Orders of the company for unauthorised occupation of the company's quarters and was placed under suspension pending enquiry from 12-10-1992 with a direction to mark his attendance daily on the register meant for suspended employee. The concerned workman did not report for making attendance after his suspension any day and remained absent from the station without permission of the management. As per Clause 27-2-2 of the Certified Standing Orders of the Company the workman concerned cannot leave station without permission of the management and as per clause 27.2.4 the payment of subsistance allowance is subjected to a written declaration by the workman that

he is not employed in any other employment, business, profession or vocation. The workman concerned never furnished any such declaration to the management and in fact the workman concerned left the colliery premises for his own business without prior permission from the management. Since the concerned workman failed to comply with the direction of the management and also with the provision of the Certified Standing Orders of the company he was not entitled to payment of subsistence allowance. Further according to the management, the concerned workman did not care to submit reply to the chargesheet. The concerned workman was also issued a second chargesheet dated 16-6-93 for wilful absence without information and sufficient cause. The aforesaid chargesheet was sent by him to his permanent home address and also published in the local News Paper, but neither he replied to the chargesheet nor turned up at the time of enquiry till 27-2-97 and submitted reply of the chargesheet and participated in the enquiry. According to the management, the concerned workman is not entitled for any relief.

4. The concerned workman in rejoinder to the chargesheet has asserted that he was regularly reporting for making his attendance to the Time Keeper and he was given declaration that he is not gainfully employed or doing any business yet the management did not pay him any subsistence allowance.

5. The management has not adduced any evidence nor has filed any documents in this case. Therefore, the evidence of the workman has gone un-refuted by the management. The concerned workman in his evidence has stated that he was living in the said quarters alongwith Arjun Prasad but he has failed to produce any order showing that the same was allotted to him either separately or jointly. Therefore, occupation of the quarters of the company by the concerned workman must be held to be unauthorised. Therefore the action of the management in putting him under suspension or issuance of chargesheet to him is not unjustified but the other part of the action of the management i.e. in not making payment of subsistence allowance or conducting any domestic enquiry or revoking suspension order after ten days and not allowing the concerned workman to resume duty for such a long period of time cannot be justified by any prudent reason. It is not disputed that the concerned workman was appointed in the year 1978 and he has served continuously for about 14 years and in due course of time has been getting promotion also. The management has not come up with the case that prior to issue of the chargesheet dated 12-10-1992 there is any adverse entry against the concerned workman. Therefore for unauthorised occupation of the company's quarters at best the management could have realised from him either penal rent or should have evicted him by force but the action of the management in putting him in

suspension for about 13 years without making payment of subsistence allowance cannot be justified on any angle of the matter.

6. The concerned workman in his evidence has stated that he was always reporting to the Time Keeper for marking his attendance but the management has not produced the Time Keeper to deny this fact. The management has not adduced any evidence to show that the concerned workman has left the premises of the company and was doing any business or was employed gainfully in any type of employment. On the contrary, the concerned workman has stated that he was always filling representations for the subsistence allowance. The concerned workman has also stated that he applied for the allotment of the said quarters and his application was forwarded by the Project Officer and he has been also applying for subsistence allowance from time to time with a declaration that he had not been gainfully employed anywhere, but he has not received any subsistence allowance till date. The management has also not asserted that any subsistence allowance was paid to him. The concerned workman has filed the copy of chargesheet which is Ext. W-1. He was asked to reply to the chargesheet within seven days of the receipt of the chargesheet. He has also filed certain applications seeking permission to leave the Headquarters which were sent to the management but the management has not examined any witness to deny receipt of the application for permission to leave the Headquarters. The reply of the concerned workman is Ext.-2 in which he has stated that he is living in that quarters since long and has applied for allotment of that quarters. He has also filed certain letters requesting the management to revoke the suspension order to make payment of subsistence allowance and allow him to join duty. But the management has not examined any witness for non-receipt of these representations. The concerned workman has filed several under certificate of posting receipts of different dates and also registration receipts in proof of sending such representations. Therefore, the management has failed to establish that the concerned workman had left the company's premises and failed to give undertaking required for payment of subsistence allowance.

7. It is not at all disputed that as per the provision of Industrial Employment (Standing Orders) Act, 1946 the management is bound to pay subsistence allowance if the suspension is for more than ten days. Furthermore there are number of decisions of our Apex Court as well as other High Courts on the point of payment of subsistence allowance in which it has been clearly held that subsistence allowance cannot be denied on the ground that suspended employee remained absent. It has also been held that payment of remuneration during the period of suspension which continued for about five years without attributing any fault on the part of the workman is not at all justified and non-payment of subsistence allowance during

suspension tantamounts to denial of reasonable opportunity. The judgement of Hon'ble Supreme Court passed in Anwarun Nisha Khatoon Vs. State of Bihar reported in 2002 Lab. I.C. 2979 and in case of State of Punjab Vs. K.K. Sharma reported in 2003 Lab. I.C. 2280 and judgement of our own High Court passed in the case of Anjar Mia Vs. M/s. C.C. Ltd. and others reported in 2002 Lab. I.C. 3407 fully apply in this case.

8. In the present case the management after putting the concerned workman in suspension has neither proceeded for holding any enquiry nor has paid him any subsistence allowance for long 13 years which is not at all justified and in the result the concerned workman is entitled for reinstatement with full back wages. However, the management may deduct market rent for unauthorised occupation of the company's quarters for the period of occupation.

9. In the result, I render following award—

The action of the management in not paying subsistence allowance and keeping the concerned workman in suspension for such a long time without holding any domestic enquiry is not at all justified and the concerned workman is entitled for reinstatement with full back wages and other consequential benefits subject to deduction of quarters rent at market rate for the period of unauthorised occupation. The management is directed to implement the award within 30 days from the date of publication of this award.

SARJU PRASAD, Presiding Officer

नई दिल्ली, 8 नवम्बर, 2005

का. आ. 4540.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसर में, केन्द्रीय सरकार ईस्टर्न रेलवे के प्रबंधतात्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/ श्रम न्यायालय, लखनऊ के पंचाट (संदर्भ संख्या आई.डी. 1/2003) को प्रकल्पित करती है, जो केन्द्रीय सरकार को 7-11-2005 को प्राप्त हुआ था।

[सं. एल-41012/197/2001-आई आर (बी-I)]

अजय कुमार, डैस्क अधिकारी

New Delhi, the 8th November, 2005

S.O. 4540.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (I.D. No. 1/2003) of the Central Government Industrial Tribunal/Labour Court, Lucknow now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Eastern Railway and their workman, which was received by the Central Government on 7-11-2005.

[No. L-41012/197/01-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL—
CUM-LABOUR COURT, LUCKNOW****PRESENT :****PRESIDING OFFICER :** Shrikant Shukla,**I.D. NO. 1/2003**

Ref. No. L-41012/197/2001-IR-(B-I) Dt. 7-11-2002

BETWEEN:

Sri Nagendra Tripathi S/o Suraj Narayan Tripathi,
 C/o Sh. Parvez Alam, 283/63B,
 Garhi Kannora (Premwati Nagar)
 Manak Nagar, Lucknow (U.P.-16)

AND

The Divisional Railway Manager,
 Eastern Railway, Ashok Marg,
 Lucknow (U.P.) 226001

AWARD

The Government of India, Ministry of Labour, New Delhi vide his order No. L-41012/197/2001-IR (B-I) dt. 7-11-2002 referred the following dispute to presiding officer, CGIT-Cum-Labour Court, Lucknow for adjudication;

“क्या प्रबन्धन, पूर्वोत्तर रेलवे, लखनऊ द्वारा श्री नागेन्द्र त्रिपाठी पुनर्श्री सूरज नारायण त्रिपाठी, “ट्राफिक सबस्टीट्यूट” को दिनांक 19-7-94 से नौकरी से निकाला जाना उचित तथा न्यायसंगत है? यदि नहीं, तो कर्मकार किस अनुतोष का अधिकारी है?”

The worker's case is that he was appointed on the post of casual labour vide letter No. E/CL/76 dt. 24-4-76 of Divn. Supdt. (P) Eastern Railway, Lucknow and he obtained temporary Status on 10-3-77. It is further stated that he was sent for medical examination after continuous service to Medical Officer, Gonda. The service card was got deposited in the year 1994 for empanelling him but was not empanelled and on 19-7-94 he was deprived of his job without any reason. Which is violation of Section 25F of the I.D. Act, 1947. It is further alleged that juniors to the worker are still working and the opposite party recruited fresh hands whereas worker has been deprived of the opportunity to work and thereby the railways had violated of Section 25G and H of the I.D. Act. 1947. It has also been alleged that no sanction was obtained before depriving him from the job nor any seniority list was prepared. It is further alleged that the worker represented to the employers, General Manager and Minister of Railways which is still pending. Worker has therefore prayed to set aside the illegal retrenchment and be reinstated with back wages and consequential benefits.

The worker has filed photo copies of two documents

purported to be letter No. E/CL/76 dt. 24-4-76 and medical fitness certificate dt. 18-7-84 together with photo copy of postal receipt the year of which is not legible.

Opposite party has disputed the claim by filing written statement. The opposite party has denied the appointment of worker vide alleged letter dt. 24-4-76. It is also alleged that from the perusal of the said letter it is not clear that the worker has been working continuously and he has obtained the status of temporary employee. Opposite party has also submitted that the worker has not produced any document about working days duly verified by the supervisor in the office of railways nor such document has been submitted along with statement of claim. It is also submitted that in absence of original document it is not possible to confirm authenticity after lapse of 27 years. It is submitted that the original certificate about medical examination is also not available and on the basis of only medical certificate it is not possible to appoint or reappoint him. Worker has alleged in his statement of claim that he was deprived of the job on 19-7-94 and no explanation has been given as to why no effort was made to bring the dispute before the competent authority. The management of the railways has denied any recruitment of casual labour after 19-7-94 and therefore the management has not violated any provision of I.D. Act. It is also stated that statement of claim has been filed without any cause of action the worker is not entitled to any relief. The claim is alleged to be time barred and filed after concealing the material facts. The management has therefore requested to reject the statement of claim of the worker.

Worker has filed rejoinder along with the list of documents. Worker has reiterated the facts stated in the statement of claim and has stated that the management ought to have produced the payment voucher from the day of appointment till the year 1994 since such documents are never need out. It is also alleged that after continuous work of 120 days the workers in railways get temporary status and thereafter they are medically examined and the medical examination record is never destroyed. The Trade Union has stated that the worker has not been given retrenchment notice or compensation and therefore the worker is entitled to reinstatement with back wages and other consequential benefits. It is also alleged that the trade union claim is not time barred as no time limit is prescribed in the law.

The trade union has filed the photo copy of the following documents:

1. Comments of Sri S.M. Bhatnagar for DRM, Lucknow dt. 5-9-01
2. Certificate of Station Master, NER, Gorakhpur, Cantt.
3. Casual Labour Card.
4. Worker's application

The worker has filed following original documents:

1. Casual Labour Card of Nagendra Tripathi S/o S.N. Tripathi.
2. Application of the worker addressed to Manager Rail (Ka NER, Lucknow).
3. Postal receipt the year of which are not legible.
4. Letter No. E/CL/76 dt. 24-4-76 purported to have been addressed to SS/Gorakhpur regarding engaging the worker V.K. Tripathi and Nagendra Tripathi the copy of which are endorsed to Head Office and individual concerned.
5. Certified copy of PARS dt. 24-5-84.
6. Certified copy of PACRW dt. 24-5-84.
7. Certified copy of eligible seal without date with the signature of some one known as Lokao Gupta.
8. Certified copy of Station Master, Gorakhpur Cantt. for working from 7-5-76 to 25-2-77.
9. Order of authority for engaging Nagendra Tripathi with the endorsement of some officer SS MPW dated 30-4-84.

Opposite party has filed additional written statement and has alleged that the documents lacks the verification of supervisor and it is also alleged that the certificate of work of the casual worker is given by the concerned officer supervisor immediately. It is reiterated that there is no record about working of the worker in the office of the opposite party nor the worker has sent any such certificate of the opposite party duly verified by the supervisor of concerned railways station. It is also reiterated that there is no record for the working of the worker in the office of opposite party to effect that the worker has worked since 1976 nor there is any record for the worker after 1980. Worker has alleged that he has worked in Lucknow Divn. Engineering Deptt. whereas it is not logical or proper that a casual labour was to work in inter divn. i.e. Sonepur to Lucknow and it appears to be false. The documents bear in the seal and the writing creates the doubt. The management of the railways has pleaded that according to the circulars the life of maintaining the attendance register and muster rolls is only 10 years and the same is prescribed for keeping the record of salary. It is also alleged that according to the circular dt. 31-12-84 in the event of any casual labour defaulting to work of 2 years continuously his name was struck off from casual labour live register. It is also pleaded that the worker has impleaded in correct and improper parties in the case and the statement of claim is liable to be rejected.

The trade union has filed additional rejoinder and has alleged that he has never absented from the work and he has been illegally retrenched.

The trade union has examined the worker Nagendra Tripathi and the opposite party has examined Sanjiv Kumar Dey as witness.

Heard representative of the parties and perused evidence on record.

Dispute referred is to whether the action of the management of NER in terminating the services of Nagendra Tripathi S/o Suraj Narain Tripathi Traffic Substitute on 19-7-94 is legal and proper?"

The worker to prove that he did work as Traffic Substitute upto 18-7-94 and thereafter he was terminated w.e.f 19-7-94.

The worker's application submitted before Asstt. Labour Commissioner (C), Lucknow is on the record in which the worker claimed that his service card was got deposited in the year 1994 for empanelling him but he was retrenched on 19-7-94.

Worker has filed a copy of letter which is paper No. 12/4 the contents of which are re-produced below :

NORTH EASTERN RAILWAY

No. E/CL/76 Office of Divl. Supdt. (P) Lucknow dated 24-4-76.

The SS/GKP

The DCI/GKP

Reg : Sri Vinod Kumar Tripathi S/o Sri Kailash Prasad Tripathi, Sri Nagendra Tripathi S/o Suraj Narain Tripathi.

The above need may be utilised as C/Labour against the casualties of Class IV (Unskilled) if no LB and screened candidates are available.

This issue with the approval of ACS.

For Divisional Supdt (P)/LJN

Copy forwarded for information and necessary action to :

1. HC/Bills Ch. Office.
2. Individual concerned.

Sd/-

For Divisional Supdt (P)/LJN

From the perusal of above letter if at all it can be relied upon that someone recommended the name of the worker Nagendra Tripathi S/o Suraj Narain Tripathi and V.K. Tripathi S/o Kailash Pati Tripathi to be engaged as Casual labour. This recommendation is addressed to the SS/GKP and DGI/GKP and the worker has tried to prove by filing a certificate of some Station Master, North Eastern Railway, Gorakhpur Cantt. that he was engaged from

7-5-76 to 30-7-76, 11-8-76 to 29-8-76, 12-10-76 to 20-11-76, 16-1-77 to 30-1-77 and 2-2-77 to 25-2-77 total 163 days. From the perusal of aforesaid certificate that he was engaged as casual porter. From the perusal of above I find that name of Nagendra Tripathi is mentioned but no father's name has been mentioned.

It is noteworthy that the worker has not mentioned in the statement of claim about details where he has worked as casual labour. He has also not disclosed in the statement of claim that in view of aforesaid letter dt. 24-4-76 he was engaged as casual porter at Gorakhpur. The worker has on the other hand stated on oath in this court that he was casual porter on 24-4-76 although it is not proved that the worker was engaged on 24-4-76. On 24-4-76 ~~recommendatory letter was written~~. The opposite party has denied the facts that the worker worked as per the certificate. The denial is specific. Sri Sanjeev Kumar Dey the witness of the opposite party has stated on oath that there is no record available in the office of railways showing the name of Nagendra Tripathi S/o Suraj Narain Tripathi. He has also stated that the said name is not mentioned in any of the live record maintained by the railways.

It is established rules of the railways that in order to provide documentary prove of service a casual labour is given a card to be retained by him. A person wanting to be appointed as casual labour should be asked to supply to the administration one passport size copy of this photo duly attested by the competent authority should be pasted on his service card. Casual labour should be asked to deposits Rs.1/- towards the cost of service book. The following particulars should be indicated by the concerned supervisory office in the service. Name of the employer, father's name date of birth, age of initial casual employment, year, month, personal marks of identification, date of engagement, date of termination, nature of job in each occasion, signature of the supervisor and name in full capital letter & designation of the Supervisor.

The service cards should be in the form of a booklet like a Passport Book of the size 4" to 6". It should have stiff card board binding. On page 1 on the left side detailed instructions should be printed for the guidance of casual labourers. These instructions should be in bilingual from both in English and Hindi. In addition, Railways, may add a local language of the area subject to convenience. The service book should be machine numbers and account of service book maintained in Divisional Offices.

In violation of above rules a certificate has been filed to prove that the worker has worked from 7-5-76 to 25-2-77. There is no mention of the name of Supervisor who has issued this certificate. It is not that the worker is not aware about service record he has tried to mislead to court by telling that his service card was got deposited in 1994. Whereas he himself filled service card which is paper No.

12/1. This card has been prepared and signed on 4-10-80. Showing the details of his casual work upto 30-4-81. Worker has tried to mislead the court by telling that paper No.12/4 his appointed letter whereas that is only recommendatory letter of some one.

Worker has filed another certificate showing his work for 48 days from 20-3-77 to 29-12-77. In this certificate there is no designation of the person issuing the certificate.

Similar certificate has been prepared for work of 78-79 by which the worker has tried to prove that he worked 96 days in 78-79 (From 10-2-78 to 29-6-79). The certificate lacks the designation of issuing authority.

According to service record the worker has worked under the Permanent Way Inspector, NER in which date of engagement has not been mentioned only month & year together with number of days. In absence of date of engagement this document also cannot be believed.

From the documents on record its shows that the worker has worked 26 days in 1981 and 34 days in 1984 although these certificates are not at all reliable.

There is also a letter of one Anurag Tripathi, T1, GKP dt. 28-4-84 ordering one Sri K.L. Srivastava on 28-4-84 to engage Nagendra Tripathi in place of some Ramvras. This also refers to the letter dt. 24-4-76 in which SSPPW has clearly mentioned that Nagendra Tripathi has not been medically examined and also that he has not worked as Gangman any where and this is his first operative duty. The SSPPW has requested from Anurag Tripathi for the instructions keeping in view above facts. There is no document on record to show the worker as thereafter worked any where if the so called certificates are believed then in that case the worker last worked on 24-5-84.

The worker's own application paper No.12/2 is on record wherein he had written to the Railway Manager (Karmit) NER, Lucknow stating therein that he has worked since the year 1976 at different stations and construction of broad guage line. It is further written in the application that he could not appear in the screening due to circumstances beyond his control and therefore he could not be made permanent. The period which has mentioned as follow:—

1. Pachperwa	11-3-84 to 31-3-84 21-4-84 to 23-4-84	21 days 3 days
2. P.P. Ganj	20-3-77 to 31-3-77 10-6-77 to 30-6-77 15-12-77 to 29-12-77 10-2-78 to 18-2-78 11-4-78 to 30-4-78 5-7-78 to 27-7-78 9-4-79 to 16-4-79 15-6-79 to 29-6-79	12 days 21 days 15 days 9 days 20 days 23 days 8 days 15 days

3. From 15-5-84 to 23-5-84	10 days
4. Construction of broad gauge lines	408 days
5. In Gorakhpur Canit	163 days

In the aforesaid application worker has requested that he should be engaged on the post of seasonal waterman.

No doubt this is statement of the worker in shape of application therefore it should be scrutinised. In absence of any service record for the days mentioned above. DCI SOT on 27-3-87 reported that only working 28 days from 11-3-84 to 31-3-84 and from 21-4-84 to 23-4-84=3 days. Certificate from the record of PPW Station remaining do not concerned him.

Worker willfully did not disclosed the date, month and year during which he worked in the construction of broad gauge railway line and purposely he did not mention date, month and year in his engagement in the Gorakhpur Canit. Meaning thereby that he wanted to fill up the gaps subsequently. Even if all documents can be taken true it can not be said that the worker was terminated on 19-7-94. These documents do not prove that the worker did work upto 18-7-94 under DRM, NER.

The worker has tried to rely on document paper No. 4/5 which is photo copy of medical department. From the perusal of such it is made out that one Sri Narendra Tewari was examined by the medical officer for appointment as Traffic Substitute Class IV. If this document is taken to be true it does not show that he was Traffic Substitute. There is no document to show that the worker worked as Traffic Substitute in view of the above medical certificate. In totality of case the worker has failed to prove his allegations that he was Traffic Substitute and he worked up to 18-7-94 and thereafter he was terminated.

The learned representative of the opposite party drawn my attention upon the photo copy of medical certificate and has stated that the said medical certificate reference to some Narendra Tewari and not to this workman.

The representative of the opposite party has argued that according to the own showing of the worker if it is believed that he worked up to May 1984 it is not expected from the railways to preserve the record for such a long period so as to produce payment vouchers in the court. He has argued that the payment of salary vouchers are maintained up to only 10 years and similarly attendance register is also maintained only up to 10 years and in the circumstances it is not possible for the railways to produce such records after lapse of more than 21 years. He has further argued that the name of the worker is not at all in the register of substitute as worker was never engaged as

substitute and worker has fail to prove that he was a substitute. Further he has also stated that the name of this worker is also not available in the casual leave register. On the discussions above I come to the conclusion that the worker has miserably failed to prove that he was Traffic Substitute and worked up to 18-7-94. He has also failed to prove that he was terminated on 19-7-94. In the circumstances there is no question of termination of worker on 19-7-94 as alleged by him. The issue is accordingly answered and I come to the conclusion that the worker is not entitled to any relief.

Lucknow : 21-10-2005

SHRIKANT SHUKLA, Presiding Officer

नई दिल्ली, 8 नवम्बर, 2005

का. आ. 4541.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार यूनियन बैंक ऑफ इंडिया के प्रबंधतात्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/त्रिम न्यायालय, लखनऊ के पंचाट (संदर्भ संख्या 29/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-11-2005 को प्राप्त हुआ था।

[सं. एल-12012/167/2002-आई आर (बी-II)]

सी. गंगाधरण, अवर सचिव

New Delhi, the 8th November, 2005

S.O. 4541.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 29/2003) of the Central Government Industrial Tribunal-Cum-Labour-Court, Lucknow now as shown in the Annexure, in the Industrial Dispute between the management of Union Bank of India and their workmen, received by the Central Government on 7-11-05.

[No. L-12012/167/2002-IR(B-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, LUCKNOW

PRESENT :

SHRIKANT SHUKLA,
PRESIDING OFFICER

I.D. No. 29/2003

Ref. No. L-12012/167/2002-IR(B-II) Dt. 31-1-2003

BETWEEN

Sri Ashish Kumar Dixit

S/o Sh. G.C.Dixit

R/o Mohalla Manpur, Gali No.3

Moradabad (U.P.)

AND

The Asstt. General Manager
Union Bank of India
Opp. Begum Bridge Road Opp.
Govt. Inter College
Meerut (U.P.) 250001

AWARD

The Government of India, Ministry of Labour, New Delhi vide his order no. L-12012/167/2002-IR (B-II) dt. 13-1-2003 referred the following dispute to Presiding Officer, CGIT-Cum-Labour Court, Lucknow for adjudication :

"Whether the action of the management of Union Bank of India in terminating the services of Shri Ashish Kumar Dixit from the post of subordinate staff w.e.f. 16-9-2001 is just, Legal and Fair? If not, what relief he is entitled to?"

The worker's case in brief is that he was appointed against the permanent vacancy in the Branch Office Station Road, Moradabad on 19-5-2000 and joined in the same office on 19-5-2000. He was paid Rs.60 per day in lieu of his duties of full time subordinate, besides the conveyance charges were reimbursed to him for out door duties @ Rs. 10, 20 and 30 and so on, as and when he performed such duties as per the orders/instructions of his superiors. It is alleged that he was deprived of the salary and other benefits of permanent full time subordinate staff. Under the compelling circumstances, with a hope that the employer would release his appointment letter and the arrears of wages as well and therefore he made requests/representations time and again such as on 17-2-01 and 7-9-01 to the Manager but his request and representations were proved useless. It is further alleged that abruptly his services were terminated on 18-9-01 unlawfully and wrongfully without issuing any letter of termination, without giving any notice or pay in lieu of notice and without paying compensation as per the provisions of the I.D. Act, 1947. Workman requested for his reinstatement with back wages but employer did not take him back in the service. Workman again gave representation to the employer on 21-2-02 which also could not yield anything in the positive. Workman sent his latest representation dt. 30-3-02 to the employer under a copy to General Manager/Chairman/Managing Director of the bank which was replied by the Chairman and Managing Director vide letter dt. 17-4-02 in the most irresponsible manner. The vouchers made in regard to the payment of the salary for Rs.60/- per day and his reimbursement or the expenditure through petty cash are evident as a token of appointment. Besides, it is wrong to say that the workman was engaged as casual labour for day or two days, it is an after thought story. There is no post of casual labour in the Bipartite Settlement and Shastri Award as well. The proof of the continuous work for months together i.e. more than 240 days in 12 consequent months

are also evident from the vouchers. Some of them are being enclosed as Annexure F1 to F2. of the statement of claim. It is alleged that the vacancy still exists in the bank.

The management has denied that the worker was never appointed/recruited at Station Road Branch, Moradabad at any point of time by the Branch Manager or any authority of the bank. It is specifically denied that the worker was never appointed as full time or permanent subordinate staff and in fact there was no temporary or permanent vacancy in the said branch of the opposite party bank. However, sometimes due to exigency of work, branch had engaged casual labour for a certain period for a particular work. It is further stated that the claimant Sri Ashish Kumar Dixit was temporarily engaged for providing water to customers and staff members of the branch for a particular period on casual basis due to exigency of work and his availability for work. It is further stated that he had been paid as per work performed by him. It is submitted that the worker was never in the regular employment of the bank nor he was appointed whatsoever as such there is no question of any payment of wages or arrears of wages. It is reiterated that the claimant was paid labour charges as per work performed by him. It has been further submitted that the worker was never appointed or recruited by the opposite party bank hence there is no question of termination or relieving from services whether by oral or written order. It is alleged that the opposite party bank is undertaking of Government of India and it got its rules for appointment of sub-staff. No appointment of sub-staff can be made otherwise then by complying with these rules. In the matter of clerical/subordinate staff, Branch Manager is not the appointing authority, hence there is no question of appointment by the Branch of Station Road Branch, Moradabad. The allegations of the worker that he was appointed as sub- staff is false and has been concocted for the purpose of case. Denying the claim of the worker opposite party has stated very specifically that he never performed any duties for 240 days preceding year as sub-staff as alleged and in fact there is no vacancy in the Station Road branch Moradabad of opposite party. Quoting citation of the Hon'ble Supreme Court Himanshu Vidyarthi Vs State of Bihar, 1997 Lab. I.C. 2075, Hon'ble Supreme Court has laid down that dispute regarding termination of daily wager and further whose appointment is not according to rules is exempted from the operation of provisions of I.D. Act, 1947. It is further submitted that the worker does not fall under the purview of the provisions of definition of workman as envisaged under Section 2(S) of the I.D. Act, 1947. In view of the above the claim of the workman that he was illegally terminated is not tenable and present reference is liable answered against the workman holding him not entitled to any relief.

The worker has filed rejoinder wherein he has reiterated his statement contained in the statement of claim. It is alleged that temporary workman working for more than

90 days against the vacancy paves the weight to make him permanent as workman had worked more than 240 days in 12 months continuously for more than 2 years. It is claimed that the workman is entitled to reinstatement on the post against which he was engaged. The worker stated that opposite party has accepted more than two hundred forty days of the workman in twelve months in reply given before the Asstt. Labour Commissioner (C) Dehradun during the course of conciliation proceedings.

The worker has filed photo copy of the following documents:

1. Application of Ashish Kumar Dixit dt. 17-2-01 addressed to Branch Manager.
2. Application of the worker dt. 7-9-01 addressed to Branch Manager.
3. Application of the worker dt. 21-2-02 addressed to Asstt. General Manager of the Bank.
4. Application of the worker dt. 30-3-02 addressed to Asstt. General Manager, Meerut.
5. Reply of the General Manager dt. 17-4-02 addressed to the worker.
6. Applications, vouchers and receipt of request for the wages from 26-6-2000 to 30-7-01.

Worker has also filed reply of Asstt. General Mnager Regional Office, Meerut to Asstt. Labour Commissioner(C) Dehradun regarding termination of services of the worker.

Opposite party has filed following documents:

1. Circular No. 2018 dt. 16-11-78
2. Letter dt. 29-10-02 by the General Manager Personnel.
3. Letter dt. 16-11-02 by Nodal Regional Office.

The worker has been cross examined by the opposite party are his affidavit and the opposite party has examined Sri. M.R. Rehman, Asstt. Personnel Manager.

Heard learned representatives of the parties and perused evidence on record carefully. It is not denied that opposite party is Govt. of India undertaking and it got its rules for appointment of sub staff. Opposite party has argued that no appointment of sub staff can be made without after the complying of the rules. It is also stated that Branch Manager is not the appointing authority. According to the procedure and the Government directives all branches and offices of the bank are required to notify the vacancy of sub staff whether permanent or temporary at the local Employment Exchange. While notifying the vacancy the bank's are required to give norms of recruitment of permanent sub staff so as to enable them to collect applications from eligible candidates and forward the same for interview. For the purpose of notification of the vacancy

of banks are required to communicate local Employment Exchange for proper format. In case of rural branches where Employment Exchange is not in position to give eligible candidates as per norms, bank's are required to obtain proper non availability certificate from the Employment Exchange and forward the same to Zonal Office so that the vacancy identified may be filled through direct recruitment from outside candidates other than through Employment Exchange. The worker has replied in cross examination that he never applied for appointment. The management witness Sri M.R. Rehman has detailed the procedure in his examination in chief and has specifically stated that the Branch Manager of the bank is no right to appoint any one.

It is admitted fact that no appointment letter was given by the worker. Worker has not proved that he was recruited by the appointing authority by observing laid down procedure. In the circumstances it can not be said that the worker has been appointed by the competent authority against the permanent vacancy. On careful perusal of the documents about the payment to which, the management has not disputed it is clear that the worker was being paid Rs. 60/- per day for offering water. This fact is evident from the documents paper No. 8 to 24 filed by the worker alongwith statement of claim. It is also evident besides offering water he also did some other work which has not been specified in the said documents which are the application of the worker himself. In none of the application of the worker is written that he was appointed against the permanent vacancy of the bank on regular basis. The worker has also filed vouchers for payment like conveyance reimbursement which shows that on some occasions he was sent to the out side office such as for depositing telephone bills, electric bills etc. These documents by itself do not go to prove that he was regularly appointed sub staff instead they go to show that the worker was daily wager earner. From careful perusal of all the documents filed by him. It is not proved that he regularly worked in the bank instances are as follows :

1. If all documents filed by the workman to be taken true that the worker has worked only 1 day in July, 3 days in June, 1 day in May, 1 day in April, 4 days in June 2001.
2. In the year 2000 according to the own document of the worker he has not worked a single day in May, 8 days in June, 7 days in Oct. 13 days in Nov. 8 days in Dec. 2000. Meaning thereby he was not continuous at work.

It is not proved by the worker that he asked for leave he was granted leave. In the circumstances I come to the conclusion that worker's engagement was not against the permanent vacancy as sub-staff in the bank. The contrary statement of statement of claim is false. A daily wage earner and a casual staff is not entitled to the regular pay scale. Worker's contention therefore that he was paid

Rs. 60 per day in lieu of his dues was wrong is not trustworthy. A daily wage earner or casual labour is not entitled to the wages admissible to the regular employees. Worker has tried to say that he was deprived of the salary and other benefits of a permanent full time sub staff is not tenable as he was not entitled to the salary admissible to the permanent staff.

The question arises as to how many days the worker has worked. The worker has claimed that he has worked for 2 years which itself is false. According to the worker himself he was engaged 19th May, 2000 to 18-9-2001 it comes out to be one year 4 months. Regarding continuity in service I have already examined the evidence of the worker and I come to the conclusion that his services was not continuous one. The worker has claimed in his statement of claim para 9 that he worked for more than 240 days. On the other hand the opposite party has denied.

Worker stated in his rejoinder that the opposite party has accepted more than 240 days of the work in 12 months in his written reply given before the Asstt. Labour Commissioner, Dehradun during the course of conciliation proceedings. The worker has filed the said reply alongwith his affidavit which is paper No. 24/4. It is stated in the said reply that the worker has worked only 106 days. Reply to the dispute raised by the worker before Asstt. Labour Commissioner(C) Dehradun the opposite party specifically stated that Ashish Kumar Dixit was not appointed in the bank. In fact he was engaged temporarily for serving water to customer and staff members and he was paid Rs. 60/- per day for the days he was engaged. It is also stated that the worker has worked for 106 days during May 2000 to Sept. 2001. It is also mentioned in the reply that working hours of the Ashish Kumar Dixit was never fixed and his name was not on the muster roll of the bank. As such master and servant relationship has never existed at any point of time.

The witness of the opposite party has specifically stated in cross-examination that the worker did not work for 240 days. However it is admitted that occasionally the worker was engaged for providing water and other works.

From the perusal of totality of the evidence on record, if all documents vouchers filed by worker are admitted then also it is proved that worker has only for 128 days. Opposite party has not denied any of the vouchers and documents. In the circumstances it is proved that during the whole period of his engagement in bank as casual daily wager he has worked only for 128 days at the most. Worker's representative has come out with the argument that if all working days holidays, Sundays are counted it still made 240 days and according to Hon'ble Supreme Court Judgment between S.D. Singh and Reserve Bank of India and others (Civil Appeal No. 6417/NL/83 dated 10th Sept. 1985) it should be presumed that the worker has worked for 240 days. I have carefully perused the judgment referred by the representative of the worker. The case

referred to by the worker's representative was about Tikka Mazdoors engaged in the Reserve Bank of India. There is one memorandum referred in the said judgment which dt. 30-4-04 the terms of employing Tikka Mazdoors were:

- (i) He should call at the office of the bank by 9.30 A.M. on every working day to a certain whether he would be offered employment on that day and he should leave only if he is advised that he will not be offered any employment on that day.
- (ii) For each day he is employed by the bank, he will be paid a consolidated daily wage of Rs. 3/- and will not be entitled to any allowance of other remuneration.
- (iii) His hours of duty, if employed, on any day would, for the present, be from 9.30 A.M. to 5.15 P.M. which hours of duty are liable to be altered without notice.
- (iv) In case he does not present himself for employment on five consecutive working days without first having obtained prior permission his appointment will be liable to be terminated without any notice.
- (v) His appointment is subject to his being found medically fit for service in the bank by the bank's medical officer.
- (vi) He will be required to comply with and obey all orders and directions which may from time to time be given to him by any person or persons under whose jurisdictions superintendence or control he may for the time being be placed.
- (vii) He should maintain the strictest secrecy regarding the bank's affairs and serve the bank honestly and loyally.
- (viii) He should produce at the time of reporting for duty satisfactory evidence of having obtained a proper release from his present appointment, if any.
- (ix) He should produce at the time of reporting for duty a letter of introduction from a respectable person.
- (x) He should produce at the time of reporting for duty a sufficient proof of his age and educational qualifications and also bring with him the original certificates copies of which were to be attached to his application.
- (xi) The appointment will be subject to his furnishing such information as the bank may require from time to time and subject to his service being acceptable in the light of the information furnished.
- (xii) If any declaration statement or information given by him is at any time found to be false or incorrect or if any material particular is omitted, his appointment will be liable to be terminated forthwith without any notice.

(xiii) The present appointment will not confer on him any right for a temporary post or permanent post in the bank's service.

In the Reserve Bank of India there has been a concept of Tikka Mazdoors and for which Tikka Mazdoors were expected to be available every day. There is no concept of Tikka Mazdoors in the organisation of the opposite party. In case referred. It was held that "In absence of any records produced by the bank, the case of employee that he has worked for more than 240 days has to be accepted as true". In the present case the worker has filed all documents which have not been disputed by the opposite party and they do not go to prove that the worker Ashish Kumar Dixit has worked 240 days, instead it came out to be less than 150 days therefore a case law referred to by the representative of the worker is not applicable on the present case.

There is no concept of appointment of casual employees in the bank. The casual labour are engaged on the exigencies of work and in case such casual employment is continuous for 240 days in a year then only the provision of retrenchment of a worker under I.D. Act, 1947. Hon'ble Supreme Court in 2005-LLR 737 Manager Reserve Bank of India, Bangalore vs S. Mani laid down that the burden to prove to establishment about 240 days working in preceding one year of termination is on the workman. The initial burden of prove was on the workman to show that they had completed 240 days of service. Relying on the above case law I have examined evidence on record and come to the conclusion that the worker has not discharged his obligation to proving 240 days work. As a matter of fact the worker has worked for 128 days only and in the circumstances it is no necessary to give notice to the workman for his disengagement and similarly no notice pay and compensation is required to be paid by the employer before disengaging him. I therefore come to the conclusion that disengagement of worker Ashish Kumar Dixit was not unjust or illegal. The worker was not at all appointed on the post of subordinate staff. Issue is answered accordingly. The workman is not entitle to any relief.

Luknow 26-10-2005

SHRIKANT SHUKLA, Presiding Officer

नई दिल्ली, 9 नवम्बर, 2005

का. आ. 4542.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को.लि., के प्रबंधतात्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम च्यायालय, धनबाद-II के पाला (संदर्भ संख्या 184/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 08-11-2005 को प्राप्त हुआ था।

[सं. एल-20012/339/2000-आई आर (सी-1)]

एस.एस. गुप्ता, अवर सचिव

New Delhi, the 9th November, 2005

S.O. 4542.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 184/2000) of the Central Government Industrial Tribunal/Labour Court Dhanbad-II now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 8-11-2005

[No. L-20012/339/2000-IR (C-I)]

S.S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. 2 DHANBAD)

PRESENT:

Shri B. BISHWAS, Presiding Officer

In the matter of an Industrial Dispute under Section 10
(1)(d) of the I.D. Act., 1947.

REFERENCE No. 184 of 2000

PARTIES :

Employers in relation to the management of Bastacolla Area of M/s. BCCL and their workmen.

APPEARANCES :

On behalf of the workman : Mr. T. P. Jha, Ld. Advocate;

On behalf of the employers : Mr. R.N. Ganguly, Ld. Advocate;

State Jharkhand Industry Coal

Dated, Dhanbad, the 19th October, 2005.

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10 (1) (d) of the I.D. Act. 1947 has referred the following dispute to this Tribunal for adjudication *vide* their Order No. L-20012/339/2000 (C-I) dated, the 29th November, 2000.

SCHEDULE

"Whether the action of the management of M/s BCCL in denying regularisation of Sri Ram Kumar Paswan as attendance clerk (Grade-II) in Golakdih Open Cast Project and also denying him payment of wages for the post of attendance clerk for the period workman actually worked as attendance clerk is, justified, legal and proper? If not, to what relief is the workman entitled and from what date?"

The case of the concerned workman according to written statement submitted by the sponsoring union on his behalf in brief is as follows :

The sponsoring union submitted that the concerned workman was initially appointed as Cat. I Fitter Apprentice

w.e.f. 9-4-94 and was regularised as Helper Trainee (Fitter) in Cat. I. w.e.f. 9-5-97.

They submitted that Project Officer by letter dt. 15-9-94 authorised the concerned workman to work as attendance clerk at Golakdih Open Cast Project. They submitted that in view of the said authorisation letter he started working as attendance clerk at Golakdih Open Cast Project and presently he is performing clerical jobs.

They submitted that as the concerned workman discharging his duties as clerk continuously for years together he submitted representation to the management for his regularisation in clerk grade II. Even the sponsoring union also made such representation to the management but to no effect. As a result the concerned workman through his sponsoring union raised Industrial Dispute for conciliation which ultimately resulted reference to this Tribunal for adjudication.

The sponsoring union on behalf of the concerned workman accordingly submitted prayer to pass award directing the management to regularise him in clerk Gr. II w.e.f. 15-9-94 with full back wages and other consequential relief.

Management on the contrary after filing written statement-cum-rejoinder have denied all the claims and allegations which the sponsoring union asserted in the written statement submitted on behalf of the concerned workman.

They submitted that the concerned workman was recruited as apprentice under the Apprenticeship Act in mechanical trade w.e.f. 9-4-94 in Cat. I. The period of the said Apprenticeship training was for three years. They submitted that on 9-5-97 he was regularised as Helper Trainee in Cat. I. for a period of one year.

They disclosed that concerned workman has advanced his claim that while working as Apprentice he got authorisation to work as attendance clerk and produced a document in support of his claim which was not according to provision of Regulation 36 of C.M.R. 57. Moreover the said paper was not issued by the Competent Authority and it does not bear any docket and despatch number. They disclosed that the said paper was manufactured with some ulterior motive. Moreover, they submitted that by Circular dt. 1-7-92 strict embargo has been imposed specifying that no workman from time rated category or piece rated group should be put on clerical job. They disclosed that in view of that circular there is no scope for any officer of the local management to authorise an apprentice of Cat. I to work as attendance clerk in clerk Grade II. They disclosed that General Manager of the Area is the competent authority who by order can change the cadre of any workman but even so the G.M. also can not issue any order defying the Circular as mentioned above to place a time-rated worker on clerical job. They submitted that there is clear procedure how a Departmental Candidate

of any category is selected and absorb as clerk Gr. III. Accordingly, they submitted that present demand of the sponsoring union is without any basis and is liable to be rejected summarily.

4. POINTS TO BE DECIDED

“Whether the action of the management of M/s BCCL in denying regularisation of Sri Ram Kumar Paswan as attendance clerk (Grade-II) in Golakdih Open Cast Project and also denying him payment of wages for the post of attendance clerk of the period workman actually worked as attendance clerk is, justified; legal and proper? If not, to what relief is the workman entitled and from what date?”

5. FINDING WITH REASONS

It transpires from the record that the sponsoring union with a view to substantiate their claim examined the concerned workman as W.W.I. Management also in support of their claim examined one witness as M.W.I.

W.W. I. during his evidence disclosed that he got his appointment as Fitter Apprentice at Golakdih Open Cast Project in the month of April, 1994 on compassionate ground in place of his father due to his medical unsuitability. He submitted that he got his regularisation as Trainee Fitter in Cat. I in the year 1997. From his evidence it transpires that while he was Fitter Apprentice management by letter marked as Exht. W-I authorised him to work as attendance clerk. He also relied on certain office orders marked as Exht. W/2, W/3 and W/4 relating to job distribution an allotment of work. He alleged that inspite of rendering continuous service as attendance clerk since 1994 management refused to regularise him in the said post in Gr. II.

During cross examination he admitted that though he was authorised to work as attendance clerk he used to draw wages as per Cat. I. He further admitted that his service was regularised as Apprentice Trainee in the year 1997. He admitted further that he did not submit any application to the management for his appointment as Attendance clerk.

M.W.I. on the contrary during his evidence declared that concerned workman got his appointment as Apprentice in Cat. I in the year 1994. The letter of appointment, and posting during his evidence were marked as Exht. M-1 & M-2. He submitted that the office order marked as Exht. M-2 was issued by the Project Officer. The order relating to regularisation of the concerned workman in Cat. I as Fitter Helper after completion of his apprenticeship period was marked as Exht. M-3. The appointment letter to that effect issued by G. M., Bastacolla Area during his evidence was marked as Exht. M-4. This witness disclosed that at present the concerned workman is in Cat. II. This fact has not been denied by the concerned workman. Therefore, it is clear that he has got this promotion in Cat. II from Cat. I.

M.W. I during his evidence further disclosed that there is no scope to get posting in clerical Gr. from Cat. I for any workman without following appropriate procedure. This witness emphatically denied issuance of authorisation letter (Ext. W-I) by the management as it was not docketed which is compulsory in case of issuance of any official letter. He asserted that this witness is still working as fitter helper and not as attendance clerk.

Considering the appointment letter marked as Ext. M-4 issued by G.M., Bastacolla Area IX it transpires that the concerned workman was appointed as Apprentice in Cat. I and the duration of the said Apprenticeship Training was 3/4 years. On the basis of that order-Dy. CPM issued office order dt. 18-3-94 (Ext. M-1) by which he was posted at Feeder Breaker, Golakdih and accordingly directed him to report for his duty to Incharge Feeder Breaker. Again by office order dt. 15-4-94 the Project Officer, GOCP directed the concerned workman to report to the Group Training Officer w.e.f. 16-4-94. By the same office order he was again directed to report to the feeder Breaker Incharge, Golakdih for further assignment of job after completion of Training. By office order marked as Ext. M-3 it has been exposed that he was regularised as Helper Trainee in Cat. I with effect from 9-5-97 and posted at GOCP. Therefore, considering all these office orders there is sufficient reason to hold that the concerned workman initially remained on Apprenticeship training and thereafter got his posting as Trainee helper. During the intervening period he was posted at Feeder Breaker, Golakdih.

Relying on the Authorisation letter issued by Project officer, GOCP dt. 15-9-94 the sponsoring union submitted that the concerned workman was asked to discharge his duties as Attendance clerk at both C.K. Siding and Feeder Breaker. He disclosed that in the said capacity he discharged his duties for years together continuously and in support of his claim he relied on office order marked as Ext. W/2, W/3 and W/4. I have carefully considered those office orders and therefrom I have failed to find out any whisper that duty of the concerned workman was allotted designating him as Attendance clerk.

It is the specific claim of the management that the authorisation letter which was issued under alleged signature of Project Officer, GOCP is a manufactured one of the ground that the said letter was not docketed which is compulsory in case of issuance of any official letter. On careful consideration of the letter in question it is found that the same was not docketed. Therefore, without docketing of any letter there is no scope to consider the same as official letter. Project officer, GOCP by office order dt. 15-4-94 (Ext. M/2) when directed him report to the Group Training Officer, VTC, Ghanoodih w.e.f. 16-4-94 for initial Training course and direction was given to him to report to the Feeder Breaker incharge, Golakdih for further assignment of job how after lapse of only five months

when his training was on he was authorised by the same Project officer to discharge his duties as Attendance clerk at both C.K. Siding and Feeder Breaker.

Accordingly burden of proof was on the sponsoring union to establish genuinity of the latter in question and to the effect that he discharged his duties as Attendance clerk, continuously for years together at C.K. Siding and Feeder Breaker. To establish such claim the sponsoring union had the scope to summon the Project Officer and Incharge Feeder Breaker but they did not consider necessary to take any steps in that regard. They have also failed to examine any independant witness for substantiating such claim. It is unbelievable that an official letter could be issued without docket. Therefore, Project officer would have been considered as competant person to probe if that letter was issued under his signature. No other cogent material is forthcoming in support of the claim of the sponsoring union.

It is the specific claim of the management that post of clerk comes under clerical grade and there is stipulated procedure how workman is eligible to get his appointment in the post of clerk. It has been emphatically pointed out that there is no scope at all to get posting in the clerical grade from Cat. I without following the proper procedure. It has been admitted by the concerned workman that he did not submit any application for his engagement as clerk during the course of his apprenticeship training. He also admitted that management did not disclose any vacancy in clerical post when he was authorised to work as Attendance clerk. It is the specific claim of the management that the letter (Ext. W-I) which the concerned workman relying on in support of his claim is a manufactured one and not only in the pleading of the management but also. M.W. I during his evidence explained its reason. Initial burden of proof was on the sponsoring union to establish that the letter issued under signature of the Project Officer was a genuine one and not manufactured. I have already discussed above in detail how the sponsoring union failed to produce a single scrap of paper to show that in the capacity of Attendance clerk the concerned workman started discharging his duties and thereafter started functioning as Despatch clerk inspite of the fact that after completion of successful training he was regularised as Fitter (Helper) trainee (Ext. M-3) in Cat. I and thereafter he got his promotion in Cat. II. Not a single scrap of paper is forthcoming to show that he made representation to the management for his regularisation in the post of clerk as his service was utilised for the same for years together.

During learning representative of the concerned workman relying on clause 7:7 of the Certified Standing Order submitted that as the concerned workman was deployed as Attendance clerk for more than six months he deserves his regularisation. Clause 7:2 of the Certified Standing Order speaks as follows :

"A permanent workman is one who is employed on a job of permanent nature for a period of atleast 6 months or who has satisfactorily put in 6 months continuous service in a permanent post as a probationer training or apprenticeship. Apprentices engaged under the Apprenticeship Act shall be governed however, by the provision of that Act."

Therefore, as per this clause first condition which is required to be fulfilled is that he must establish that he was employed by the competent authority to work as Attendance clerk. The words "Authorisation" "employment" are not synonymous. Therefore, by virtue of authorisation the workman cannot place his claim that he was employed. The sponsoring union also has failed to establish that there was a post of Attendance clerk at both C.K. Siding and Feeder Breaker which was lying vacant and he was authorised to work there and discharged his duties for more than six months. Therefore, just relying on a authorisation letter which management specifically alleged as a manufactured letter there is little scope to uphold contention of the sponsoring union.

The sponsoring union as per reference has claimed for regularisation of the concerned workman as clerk Gr. II M.W. I during his evidence has clearly mentioned through Departmental procedure how a clerk is selected from departmental candidate. It is settled principle of N.C.W.A. that after selection initially a clerk is posted in clerical grade III. Thereafter as per promotional procedure as laid down in N.C.W.A., a clerk in grade III is eligible to get his promotion in clerk Gr. II. It has been categorically submitted on the part of the management that there is no scope at all as per N.C.W.A. to regularise any workman directly in clerk Gr. II. considering N.C.W.A. I find support about claim of the management in this regard. It is clear that post of clerk grade II is a promotional one and it comes from clerical grade III. The concerned workman is Fitter (helper) Trainee is Cat. II. As per NCWA there is no scope at all to get his promotion in clerk grade II directly from Cat. II without getting his regularisation in clerk Gr. III. The representative of the concerned workman in course of hearing has failed to explain how their claim for regularisation of the concerned workman in clerk Gr. II could be upheld.

In view of discussion of all the facts and circumstances, I hold that the sponsoring union has failed to substantiate the claim of the concerned workman and for which he is not entitled to get his relief.

In the result the following award is rendered:

That the action of the management of M/s. BCCL in denying regularisation of Sri Ram Kumar Paswan as Attendance Clerk (Gr. II) in Golakdih Open Cast Project and also denying him payment of wages for the post of attendance clerk for the period workman actually worked as Attendance Clerk is justified. Consequently, the concerned workman is not entitled to get any relief.

B. BISWAS, Presiding Officer

ग्रन्थालय, ९ नवम्बर, २००५

का. अ. 4543.—औद्योगिक विषाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को. लि. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विषाद में केन्द्रीय सरकार औद्योगिक अधिकरण/प्रम्नायालय, धनबाद II के पंचाट (संदर्भ संख्या 317/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-11-2005 को प्राप्त हुआ था।

[सं. एल-20012/156/1998-आई आर (सी-1)]

एस. एस. गुप्ता, अवार सचिव

New Delhi, the 9th November, 2005

S.O. 4543.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 317/2001) of the Central Government Industrial Tribunal/Labour Court, Dhanbad II now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 8-11-2005.

[No. L-20012/156/1998-IR (C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
* INDUSTRIAL TRIBUNAL (NO. 2) AT
DHANBAD**

PRESENT : Shri B. Biswas, Presiding Officer

Dr. S. B. Biswas, President

(I) (d) of the I.D. Act, 1947.

REFERENCE NO.317 OF 2001

APPENDICES

**On behalf of the workman : Mr. B.N. Singh,
Representative of the
Workmen**

**On behalf of the employers : Mr. B. M. Prasad, Ld.
Advocate**

State : Jharkhand **Industry : Coal**

Dated, Dhanbad, the 28th October, 2005

AWARD

The Govt. of India, Ministry of Labour in exercise of the powers conferred on them under Section 10 (1) (d) of

the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication *vide* their Order No. L-20012/156/98-IR (C-I) dated, the 13th December, 2001.

SCHEDULE

“Whether the action of the management of P.B. Area of M/s. BCCL in superannuating Sri Amulya Das, Mining Sirdar of Kenduadih Colliery w.e.f. 31-12-1996 treating his date of birth as 31-12-1936 in place of his date of birth as 11-1-1940 is proper and justified? If not, to what relief the workman is entitled?”

2. The case of the concerned workman according to written statement submitted by the sponsoring union on his behalf in brief is as follows :

The sponsoring union submitted that the concerned workman was appointed at Kenduadih Colliery on 24-1-55 and at that time his date of birth in the Form-B Register was recorded as 11-1-1940. Thereafter he passed Mining Sardarship examination and a Certificate to that effect was issued to him on 16-3-67 wherein his date of birth was recorded as 31-12-36 without any basis. They further submitted that management issued I.D. Card to the concerned workman wherein on the contrary his date of birth was recorded as 3-12-96. As his date of birth in different registers of the Company were recorded differently he on number of occasions requested the management to record his correct date of birth as 11-1-40 rectifying wrong date of birth recorded therein but to no effect. They alleged that instead of making proper rectification of his date of birth management superannuated him w.e.f. 31-12-96 illegally, arbitrarily and violating the principle of natural justice. Being aggrieved with the said decision he raised an Industrial Dispute before ALC (C), Dhanbad which ultimately resulted reference to this Tribunal for adjudication. Accordingly, the sponsoring union submitted prayer to pass award directing the management to allow the concerned workman to remain in his employment treating his date of birth as 11-1-1940 after recalling the said order of superannuation w.e.f. 31-12-96.

3. Management on the contrary after filing written statement-cum-rejoinder have denied all the claims and allegations which the sponsoring union asserted in the written statement submitted on behalf of the concerned workman.

They submitted that in the Form-B Register date of birth of the concerned workman was recorded as 31-12-36. Accordingly he reached the date of his superannuation on 31-12-96 and for which they did not commit any illegality in superannuating him with effect from 31-12-96. They submitted that in the year 1987 service expert was issued to the concerned workman wherein his date of birth was recorded as 31-12-36 but inspite receiving the same he did not consider necessary to raise any

objection about his alleged wrong recording of date of birth therein.

They submitted that superannuation notice dt. 6-11-95 was issued to the concerned workman wherein it was intimated that he will be superannuated from his service w.e.f. 31-12-96 and on receipt of the said notice he at the fag end of his service started agitation with demand for rectification of his date of birth but as his demand could not be acceded to and for which he raised a baseless Industrial Dispute.

Accordingly, management submitted prayer to pass award rejecting the claim of the concerned workman.

4. Points to be decided

“Whether the action of the management of P.B. Area of M/s. BCCL in superannuating Sri Amulya Das, Mining Sirdar of Kenduadih Colliery w.e.f. 31-12-1996 treating his date of birth as 31-12-1936 in place of his date of birth as 11-1-1940 is proper and justified? If not, to what relief the workman is entitled?”

5. Finding with Reasons

It transpires from the record that the sponsoring union with a view to substantiate their claim examined the concerned workman as W.W. I. Management on the contrary declined to adduce any evidence.

Considering the facts disclosed in the pleading of both sides and also considering evidence of W.W.I, i.e., the concerned workman there is no dispute to hold that the concerned workman under the erstwhile owner got his appointment in the year 1955 as General Mazdoor at South Balihari Colliery. It has been submitted by the concerned workman that at the time of his initial employment his date of birth in the Form-B Register was recorded as 1936. He disclosed that in the year 1962 he passed Mining Sardarship Examination and the Mining Authority issued a Certificate to him to that effect wherein he admitted that his date of birth was recorded as 31-12-36. He admitted that in the year 1973 management issued I.D. Card to him and in the year 1987 they issued service excerpt to him wherein his date of birth were recorded as 3-12-36 & 31-12-36. The copy of the Mining Sirdar's Certificate, I.D. Card and service Excerpt during his evidence were marked as Exhibit N-1, N-2 and N-3 respectively. It is his specific contention that his date of birth is 11-1-40 but instead of recording his actual date of birth management recorded his wrong date of birth in the statutory registers and inspite of submitting representation they did not consider necessary to rectify his correct date of birth therein. Inspite of claiming so, in course of hearing neither the sponsoring union nor the concerned workman considered necessary to produce a single copy of such representation to establish the authenticity of his claim.

Concerned workman during his evidence admitted that at the time of his empoyment his year of birth in the Form-B Register was recorded as 1936. He further during his evidence admitted that he submitted application for appearing in his Mining Sirdar's Examination before DGMS and in the said application he disclosed his date of birth as 31-12-36. Thereafter on being passed in the said examination the D.G.M.S. issued certificate to him showing his date of birth as 31-12-36. Both the Form-B Register & Certificate issued by the D.G.M.S. are statutory documents and entries recorded therein are binding on both sides until and unless any ugly contradiction is exposed. It is seen that date of birth in the Form-B Register was recorded as per statement of the concerned workman. The concerned workman himself in the application for Mining Sirdar's Examination disclosed his date of birth as 31-12-36. He received that Certificate in the year 1967 and for which it is obvious that he was fully aware of the date of birth recorded therein. It is really astonishing to note that inspite of knowing his date of birth recorded therein he did not raised his protest. In the year 1987 it is admitted fact that he received service except from the management wherein also his date of birth was recorded as 31-12-36 but without raising any objection he kept himself silent. It is seen that from 1973 to 1987 the concerned workman though was fully aware of his date of birth recorded as 31-12-36 in different register absolutely failed to take any positive step for rectification of his date of birth as per his claim. He has got his superannuation w.e.f. 31-12-96. During his evidence he admitted that he raised Industrial Dispute after his superannuation when no employer and employee relationship existed between him and the management. If this aspect is considered in that case conclusion to be drawn that the instant case is not maintainable in the eye of law.

Apart from this fact onus rests on the concerned workman that his actual date of birth is 11-1-1940 and not 31-12-36. The sponsoring union in course of hearing has got ample opportunity to establish that claim but lamentably has failed to prove so. No satisfactory explanation is also forthcoming on their part why Industrial Dispute was raised after a lapse of such long years but to that effect also they have failed to satisfy this Tribunal in course of hearing.

Accordingly after careful consideration of all the facts and circumstances there is sufficient reason to draw conclusion that the sponsoring union with clean hand did not raise the Industrial Dispute when they knew very well that the concerned workman already superannuated from his service. They demand I consider it a stale demand and for which the concerned work man is not entitled to get any relief.

In the result the following award is given:

"That the action of the management of P.B. Area

of M/s. BCCL in superannuating Sri Amulya Das, Mining Sirdar of Kenduadhi Colliery w.e.f. 31-12-96 treating his date of birth as 31-12-36 in place of his date of birth as 11-1-1940 is proper and justified.

Consequently the concerned workman is not entitled to get any relief.

B. BISWAS, Presiding Officer

नई दिल्ली, 9 नवम्बर, 2005

का.आ. 4544.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई. सी. एल. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकारण/प्रम न्यायालय, धनबाद-II के पंचात (संदर्भ संख्या 9/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 08-11-2005 को प्राप्त हुआ था।

[सं. एल-20012/373/2000-आईआर (सी-1)]

एस. एस. गुप्ता, अधर सचिव

New Delhi, the 9th November, 2005

S.O. 4544.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 9/2001) of the Central Government Industrial Tribunal/Labour Court, Dhanbad-II now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of ECL and their workman, which was received by the Central Government on 8-11-2005.

[No. L-20012/373/2000-IR (C-I)]

S.S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO.2) AT DHANBAD

PRESENT

Shri B. Biswas, Presiding Officer.

In the matter of an Industrial Dispute under Section 10
(1) (d) of the I.D.Act, 1947.

Reference No. 9 of 2001

PARTIES : Employers in relation to the management of Khudia Colliery under Mugma Area of M/s. ECL and their workmen.

APPEARANCES :

On behalf of the workman : Mr. S. Bose,
Representative of the
workman.

On behalf of the employers : Mr. B. M. Prasad, Ld.
Advocate.

State : Jharkhand

Industry : Coal

(Dated, Dhanbad, the 25th October, 2005.)

AWARD

The Govt. of India, Ministry of Labour in exercise of the powers conferred on them under Section 10 (I) (d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their order No. L-20012/373/2000(C-I) dated, the 12th January, 2001.

SCHEDULE

"Whether the action of the management of Khoodia Colliery of M/s. ECL in not regularising Sri Arjun Bind as Transporting Munshi is fair and justified ? If not, to what relief is the concerned workman entitled and from what date?"

2. The case of the concerned workman according to written statement submitted by the sponsoring union on his behalf in brief is as follows :

The sponsoring union submitted that the concerned workman was a Dumper Operator at Khoodia O.C.P. Thereafter by office order dated 8-12-90 he was transferred to Khoodia Underground Mines as Transporting Munshi. They submitted that sometimes in 1991 Tippler was started at Khoodia Underground Mines for transporting Coal to Rly. siding in which the concerned workman was engaged by verbal order of the then Agent. Thereafter Dy. CME/Agent of Khoodia Colliery vide office order dated 4-5-92 authorised the concerned wordman to work as transporting Munshi at Quardih Section of Khoodia Colliery to look after transportation of Coal from Quardih Coal Depot to Rly. siding of Khoodia Colliery.

They submitted that as the concerned workman started performing his duty of clerical cadre he deserved his regularisation as Transporting Munshi. Accordingly, local manager by letter dated 6/7-11-97 referred his case to Dy. C.P.M., Mugma Area for his regularisation as Transporting Munshi as he started discharging his duty in that capacity since 1991. It has been alleged by the sponsoring union that inspite of rendering his service as Transporting Munshi and also having required academic qualification the management refused to regularise him in that capacity. In the circumstances they raised an Industrial Dispute for conciliation which ultimately resulted reference to this Tribunal for adjudication.

The sponsoring union accordingly submitted their prayer to pass award with direction to the management to regularise the concerned workman as Transporting Munshi in appropriate grade w.e.f. 4-5-92.

3. Management on the contrary after filing written statement-cum-rejoinder have denied all the claims and allegations which the sponsoring union asserted in the written statement submitted on behalf of the concerned workman.

They submitted that the concerned workman is designated as Dumper Operator of Khoodia Colliery and not as Transporting Munshi on regular basis and still discharging his duties in that capacity. They categorically denied the fact that concerned workman was ever authorised to work as Transporting Munshi and for which question of his regularisation in that post never arose.

They further submitted that the Dumper Operator while comes in time rated category the job of Transporting Munshi comes in monthly rated cadre and for which question of authorising him to work in monthly rated job does not arise. They alleged that the concerned workman has made out the present case with a view to get his regularisation in clerical job through litigation.

Accordingly, management submitted prayer to pass award rejecting the claim of the sponsoring union.

4. POINTS TO BE DECIDED

"Whether the action of the management of Khoodia Colliery of M/s. ECL in not regularising Sri Arjun Bind as Transporting Munshi is fair and justified ? If not, to what relief is the concerned workman entitled and from what date?"

5. FINDING WITH REASONS

It transpires from the record that inspite of getting sufficient opportunity the sponsoring union has failed to adduce any evidence to substantiate the claim of the concerned workman. As the sponsoring union did not consider necessary to adduce evidence management also declined to adduce evidence on their part.

In view of this position let it be considered based on the pleadings of both sides if the claim of the sponsoring union stands on cogent footing or not.

Considering the facts disclosed in the pleadings of both sides there is no dispute to hold that by designation the concerned workman is a Dumper Operator and he was posted at Khoodia Colliery. It is the submission of the sponsoring union as per their written statement that sometimes in 1991 Tippler was started in Khoodia Underground Mines for transportation of coal to Rly. siding and Dy. C.M.E. by office.order dtd. 4-5-92 authorised to work as Transporting Munshi which is out and put a clerical job at Quardih Section and Khoodia Colliery to look after transportation of coal from Quardih Coal Depot to Rly. siding of Khoodia Colliery. This fact has categorically been denied by the management stating that there was no scope at all as per Circular of the H.Q. to authorise any time rated worker

to perform the job of monthly rated worker. They disclose that Dumper Operator comes under time rated category while the job of Transporting Munshi comes under Clerical cadre which is monthly rated.

Therefore, before taking into consideration of this fact burden of proof rests on the sponsoring union to establish the office order dtd. 4-5-92 issued by Dy. C.M.E./Agent appointing him to discharge his duty as Transporting Munshi. Similar burden of proof rests on them to establish that local management forwarded the case of the concerned workman to Dy. C.M.E., Moogma Area for consideration to regularise him in clerical cadre as Transporting Munshi. There is no dispute to hold that the sponsoring union has failed to substantiate the material facts which they relied on in support of the claim. It is fact that the concerned workman is a Dumper Operator in time rated category. The post of Transporting Munshi comes under clerical grade which is monthly rated. According to submission of management that as per specific Circular there is no scope to change the stream of a worker from time rated category to monthly rated grade. Therefore, it is to be looked into if any such order was passed superseding that specific instruction of the H.Q. by which the concerned workman was allowed to work in clerical grade. On careful consideration of the materials on record I have failed to find out any such order in support of the claim of the sponsoring union.

It should be taken into consideration that facts disclosed in the pleading can not be considered as substantive piece of evidence until and unless the same is substantiated by cogent evidence or the facts disclosed therein is admitted by opposite party. Management have specifically denied the claim of the sponsoring union. As such initial burden was on them to rebut the claim of the management. Record will expose clearly that the sponsoring union inspite of getting opportunity has lamentably failed to substantiate their claim and accordingly the concerned workman is not entitled to get any relief.

In the result the following award is rendered:

"That the action of the management of Khoodia Colliery of M/s. ECL is not regularising Sri Arjun Bind as Transporting Munshi is fair and justified.

Consequently, the concerned workman is not entitled to get any relief."

B. BISWAS, Presiding Officer

नई दिल्ली, 9 नवम्बर, 2005

का.आ. 4545.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सीसीएल के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/ श्रम

न्यायालय, धनबाद-II के पंचाट (संदर्भ संख्या 69/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-11-2005 को प्राप्त हुआ था।

[सं. एल-20012/8/2004-आईआर(सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 9th November, 2005

S.O. 4545.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 69/2004) of the Central Government Industrial Tribunal/ Labour Court, Dhanbad-II now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of CCL and their workman, which was received by the Central Government on 8-11-2005.

[No. L-20012/8/2004-IR (C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2), AT DHANBAD

PRESENT:

Shri B. BISWAS,
Presiding Officer

In the matter of an Industrial Dispute under
Section 10(1) (d) of the
I.D. Act, 1947.

REFERENCE NO. 69 OF 2004

PARTIES : Employers in relation to the management of K.C.P. of M/s. CCL and their Workman

APPEARANCES:

On behalf of the Workman : None

On behalf of the Employers : Mr. D.K. Verma,
Advocate.

State : Jharkhand Industry : Coal

Dated, Dhanbad the 25th October, 2005

AWARD

The Govt. of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1) (d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. No. L-20012/8/2004-IR (C-I), dated, the 8/16-6-2004.

SCHEDULE

"Whether the action of the management of Karo Special Project (Ph. II) of M/s. C.C. Ltd. in not providing employment to Smt. Mangri Devi, W/o Late Sukar Mahato, workman, is justified ? If not, to what relief is the said dependant of the concerned workman entitled ?"

2. In this case neither the concerned workman nor his representative appeared before this Tribunal. No Written Statement was also filed on her behalf. Management, however, made appearance through their authorised. It transpires from the record that registered notices and show cause notice were issued to the workman/sponsoring union for causing their appearance. In terms of Rule 10(B) of the I.D. Central Rules, 1957 it is mandatory on the part of the concerned workman/sponsoring union to file statement of claim complete with relevant documents, list of reliance and witnesses before the Tribunal within 15 days from the date of receipt of the order of reference. The concerned workman/sponsoring union not only violated the above rules but also even did not consider necessary to respond to the notices issued by this Tribunal. Gesture of the concerned workman/sponsoring union if is taken into consideration will expose clearly that they are not interested to proceed with the hearing of the case. Under such circumstances, this Tribunal also finds no ground to adjourn the case *suo moto* for days together for taking steps by the workman/sponsoring union. Hence the case is closed and accordingly a 'No dispute' Award is passed in this reference presuming non-existence of any industrial dispute between the parties.

B. BISWAS, Presiding Officer

नई दिल्ली, 9 नवम्बर, 2005

का.आ. 4546.—ऑद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा. को. को. लि. के प्रबंधात्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट ऑद्योगिक विवाद में केन्द्रीय सरकार ऑद्योगिक अधिकरण/ श्रम न्यायालय, धनबाद-II के पंचाट (संदर्भ संख्या 18/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-11-2005 को प्राप्त हुआ था।

[सं. एल-20012/150/2004-आईआर(सी-I)]
एस. एस. गुप्ता, अवर सचिव

New Delhi, the 9th November, 2005

S.O. 4546.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.18/2005) of the Central Government Industrial Tribunal/ Labour Court, Dhanbad-II now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 8-11-2005.

[No. L-20012/150/2004-IR (C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (NO. 2), AT DHANBAD
PRESENT:

Shri B. Biswas, Presiding Officer

In the matter of an Industrial Dispute under
Section 10(1)(d) of the
I.D. Act, 1947.

REFERENCE NO.18 OF 2005

PARTIES : Employers in relation to the management of Kusunda Kshetra of M/s. BCCL and their Workman.

APPEARANCES :

On behalf of the Workman : None

On behalf of the Employers : Mr. U.N. Lal,
Advocate.

State : Jharkhand Industry : Coal.

Dated, Dhanbad, the 25th October, 2005

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1) (d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/150/2004-IR (C-I), dated, the 17th December, 2004.

SCHEDULE

"KYA BIHAR PRADESH COLLIERY MAZDOOR CONGRESS KI BHARAT COKING COAL LIMITED KUSUNDA KSHETRA KEY PRAVANDHTANTRA SEY MANG KI KARMKAR SHRI GANGA SAGAR HALKHORBY KO SECURITY GUARD KEY PAD PAR NIYAMITA KIYA JAYA UCHIT EVAM NYAYASANGAT HAI? YADI HA TO KARMKAR KIS RAHAT KEY PATRA HAI TATHA KIS TARIKHSEY?"

2. In this case neither the concerned workman nor his representative appeared before this Tribunal. No Written Statement also was filed on his behalf. Management, however, made appearance through their authorised representative and filed written Statement. It transpires from the record that registered notices and show cause notice consecutively were issued to them. In terms of Rule 10(B) of the I.D. Central Rules, 1957 it is mandatory on the part of the concerned workman/sponsoring union to file statement of claim complete with relevant documents, list of reliance and witnesses before the Tribunal within 15 days from the date of receipt of the order of reference. The concerned workman/sponsoring union not only violated the above rules but also even did not consider necessary to respond to the notices issued by this Tribunal. Gesture of the concerned workman/sponsoring union if is taken into consideration will expose clearly that they are not interested to proceed with the hearing of the case. Under

such circumstances, this Tribunal also finds no ground to adjourn the case *suo moto* for days together for causing appearance by the workman/sponsoring union. Hence the case is closed and accordingly a 'No dispute' Award is passed in this reference presuming non-existence of any industrial dispute between the parties.

B. BISWAS, Presiding Officer

नई दिल्ली, 9 नवम्बर, 2005

का.आ. 4547.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार टिस्को लि. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/ प्रम न्यायालय, धनबाद-II के फैचाट (संदर्भ संख्या 13/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-11-2005 को प्राप्त हुआ था।

[स. एल-20012/190/2004-आईआर(सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 9th November, 2005

S.O. 4547.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.13/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Dhanbad-II now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Tisco Ltd. and their workman, which was received by the Central Government on 8-11-2005.

[No. L-20012/190/2004-IR (C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2), AT DHANBAD

PRESENT:

Shri B. Biswas, Presiding Officer

In the matter of an Industrial Dispute under
Section 10(1) (d) of the
I.D. Act, 1947

REFERENCE NO. 13 OF 2005

PARTIES : Employers in relation to the management of 6/7 Pits Colliery of M/s. Tisco Ltd. and their Workman.

APPEARANCES:

On behalf of the Workman : None

On behalf of the Employers : None

State : Jharkhand Industry : Coal.

Dated, Dhanbad, the 24th October, 2005.

AWARD

The Govt. of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1) (d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/190/2004-IR (C-I), dated, the 12th December, 2004.

SCHEDULE

"Whether the action of the management of Tisco 6 & 7 Pits Colliery in stopping Sh. Sarandip Paswan, Pump Operator Cat. IV from work w.e.f. 15-3-2004 is just, fair and legal ? If not, to what relief is the workman entitled and from what date ?"

2. In this reference neither the concerned workman nor his representative appeared before this Tribunal. None also appeared on behalf of the management. It transpires from the record that registered notices and show cause notice were issued to the workman/sponsoring union consecutively. In terms of Rule 10(B) of the I.D. Central Rules, 1957 it is mandatory on the part of the concerned workman/sponsoring union to file statement of claim complete with relevant documents, list of reliance and witnesses before the Tribunal within 15 days from the date of receipt of the order of reference. The concerned workman/sponsoring union not only violated the above rules but also even did not consider necessary to respond to the notices issued by this Tribunal. Gesture of the concerned workman/sponsoring union if is looked into will expose clearly that they are not interested to proceed with the hearing of the case. Under such circumstances, this Tribunal also finds no ground to adjourn the case *suo moto* for days together for causing appearance of the workman/sponsoring union. Hence the case is closed and accordingly a 'No dispute' Award is passed in this reference presuming non-existence of any industrial dispute between the parties.

B. BISWAS, Presiding Officer

नई दिल्ली, 9 नवम्बर, 2005

का.आ. 4548.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा. को. को. लि. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/ प्रम न्यायालय, धनबाद-II के फैचाट (संदर्भ संख्या 17/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-11-2005 को प्राप्त हुआ था।

[स. एल-20012/184/2004-आईआर(सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 9th November, 2005

S.O. 4548.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.17/2005)

of the Central Government Industrial Tribunal-Labour Court, Dhanbad II now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 8-11-2005.

[No. L-20012/184/2004-IR (C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2), AT DHANBAD PRESENT:

Shri B. Biswas, Presiding Officer

In the matter of an Industrial Dispute under
Section 10(1) (d) of the I.D. Act, 1947.

REFERENCE NO. 17 OF 2005

PARTIES : Employers in relation to the management of Bastacolla Area of M/s. BCCL and their Workman

APPEARANCES:

On behalf of the Workman : None

On behalf of the Employers : Mr. U.N. Lal,
Advocate.

State : Jharkhand Industry : Coal.

Dated, the Dhanbad, the 24th October, 2005

AWARD

The Govt. of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1) (d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/184/2004-IR (C-I), dated, the 17th December, 2004.

SCHEDULE

"Whether the demand of the JMS from the management of Golukdih Open Cast Project of M/s. BCCL for regularising Smt. Anpurna Bhattacharjee as Peon is justified ? If so, to what relief is the concerned workman entitled and from what date ?"

2. In this reference neither the concerned workman nor her representative appeared before this Tribunal. No Written Statement was also filed on their behalf. Management, however, made appearance through their authorised representation. It reveals from the record that registered notices and show-cause notice were issued to the concerned workman/sponsoring union consecutively. As per rules 10(B) of the I.D. Central Rules, 1957 it is mandatory on the part of the concerned workman/

sponsoring union to file statement of claim complete with relevant documents, list of reliance and witnesses before the Tribunal within 15 days from the date of receipt of the order of reference. The concerned workman/sponsoring union not only violated the above rules but also even did not consider necessary to respond to the notices issued by this Tribunal. Gesture of the concerned workman/sponsoring union if is taken into consideration will expose clearly that they are not interested to proceed with the hearing of the case. Under such circumstances, this Tribunal also finds no ground to adjourn the case *suo motu* for days together for taking steps by the workman/sponsoring union. Hence, the case is closed and accordingly a 'No dispute' Award is passed in this reference presuming non-existence of any industrial dispute between the parties.

B. BISWAS, Presiding Officer

नई दिल्ली, 9 नवम्बर, 2005

का. आ. 4549.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार टेलीकॉम इलेक्ट्रिकल डिवीजन के प्रबंधालय के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं. 2 धनबाद के पंचाट (संदर्भ संख्या 96/98) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-11-2005 को प्राप्त हुआ था।

[सं. एल-40012/149/96-आई आर (डी यू)]

एन. पी. केशवन, डैस्क अधिकारी

New Delhi, the 9th November, 2005

S.O. 4549.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 96/98) of the Central Government Industrial Tribunal/Labour Court, No. 2 Dhanbad now as shown in the Annexure in Industrial Dispute between the employers in relation to the management of Telecom Electrical Division and their workman, which was received by the Central Government on 9-11-2005.

[No. L-40012/149/96-IR(DU)]

N. P. KESAVAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2), AT DHANBAD

PRESENT:

Shri B. Biswas, Presiding Officer

In the matter of an Industrial Dispute under
Section 10(1) (d) of the I.D. Act., 1947.

REFERENCE NO. 96 OF 1998	
PARTIES :	Employers in relation to the management of Post and their Workman
APPEARANCES:	
On behalf of the workman	Mr. D.K. Verma, Advocate.
On behalf of the employers	None
State : Jharkhand	Industry : Posts

Dated, Dhanbad, the 19th October, 2005.

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-40012/149/96-IR(DU), dated, the 12th March, 1998.

SCHEDULE

"Whether the action of the management of Telecom Electrical Division, Ranchi in terminating the services of Md. Ali is legal and justified? If not, to what relief the workman is entitled to?"

2. Case of the concerned workman according to Written Statement submitted by him in brief is as follows :—

The concerned workman submitted that he joined service in Telecom Electrical Sub-division at Patna as Peon on 19-7-1994. As per order of R. P. Kanchan, the then Assistant Engineer, Telecom Electrical Sub-division, Patna. He submitted that on 28-4-1995 the said office was shifted to Gaya with entire strength of office consisting of one Assistant Engineer, one Junior Engineer, one clerk and one subordinate staff. He submitted that even after shifting he discharged his duties as Peon right from 9.30 A.M. to 6 P.M. in full along with other officer and staff. Management against rendering his service as Peon used to pay him wages on monthly basis @ Rs. 1034/- per month through vouchers. He submitted that in spite of his rendering service as Peon under the management with effect from 19-7-1994 he was terminated from his service orally w.e.f. 10-11-1995 without assigning any reason and also without any notice or notice pay and retrenchment compensation. He alleged that the said termination of his service was absolutely illegal and arbitrary as it violated the principle of natural justice and for which he raised an Industrial Dispute before the ALC(C) Patna for conciliation which ultimately resulted reference to this Tribunal for adjudication. Concerned workman accordingly submitted his prayer to pass award directing the management to

reinstate him in his service from the date of his termination with full back wages and consequential relief.

3. Management on the contrary after filing Written Statement-cum-rejoinder have denied all claims and allegations which the concerned workman asserted in the Written Statement submitted by him. They submitted that a casual worker employed only for a temporary basis on a temporary nature of job is not a workman and for which there is no scope of application of Section 25F of the I.D. Act, 1947. They submitted that the concerned workman was engaged by R.P. Kanchan, the then Assistant Engineer (E), Telecom, Electrical Sub-division, Patna orally as a casual labour on daily wages on purely temporary basis without any interview being conducted by him w.e.f. 19-7-1994. No letter of appointment was also issued to him. They categorically denied the fact that on shifting the said office to Gaya w.e.f. 28-4-1995 the concerned workman was also transferred there. They submitted that after the office was transferred to Gaya the concerned workman approached the management for his engagement as casual labour on daily wages purely on temporary basis and accordingly he was again engaged as casual labour on daily wages and purely on temporary basis. They submitted that as the concerned workman was engaged as a casual labour purely on temporary basis there was no question of his regularisation in view of his prayer. Accordingly management submitted prayer to pass an Award rejecting the claim of the concerned workman.

4. POINTS TO BE DECIDED

"Whether the action of the management of Telecom Electrical Division, Ranchi in terminating the services of Md. Ali is legal and justified? If not, to what relief the workman is entitled to?"

5. FINDING WITH REASONS

It transpires from the record that neither the concerned workman adduced any evidence with a view to substantiate his claim nor the management adduced any evidence in support of their claim. Accordingly considering the pleadings submitted by both sides let it be considered whether the claim of the concerned workman stands on stable footing or not.

It is admitted fact that the concerned workman was engaged by the management to discharge certain duties in the month of July, 1994. It is the claim of the concerned workman that he was engaged as Peon to work in the office of the Assistant Engineer, Telecom Electrical Sub-division, Patna. In his Written Statement he admitted that for such engagement no letter of appointment was issued to him. He further submitted in his Written Statement that though no such letter of appointment was issued to him he performed his duties continuously from 9.30 A.M. to 6 P.M. and used to carry on all works of Peon. Against such work management used to pay him @ Rs. 1034.00 per month.

It is further seen that when the said Telecom Office was shifted to Patna he was also transferred there and started performing his duties as usual but the management without assigning any reason dismissed him from his service w.e.f. 10-11-95. On the contrary as per facts disclosed in the pleading of the management it has been admitted that the concerned workman was engaged by the then Assistant Engineer, Telecom Sub-division absolutely on temporary basis to perform certain works of casual in nature. They categorically denied the fact that the concerned workman worked there continuously from the date of his engagement. Considering the pleadings of both sides there is no dispute to hold that the concerned workman worked under the management with effect from 19-7-94 to 10-11-95. It is the claim of the concerned workman as per his Written Statement that he was engaged as Peon by the management and he performed his duties as such continuously. Accordingly burden of proof rests on him to establish that he was engaged as Peon by the Assistant Engineer, Telecom Electrical Sub-Division and also to show that the said Assistant Engineer was competent enough to engage him in the regular post of peon. It has to be taken into consideration that the post of Peon is a regular post and accordingly if in the said regular post any Peon is engaged, management is liable to release his salary as per pay scale of the Peon. Here in the instant case the concerned workman admitted that the management never paid him salary as per pay scale of the Peon. On the contrary he received wages through vouchers monthwise @ Rs. 1034.00 P.M. Question of payment of salary to a regular Peon does not arise through vouchers. If the submission of the management as per their pleading is taken into consideration it will be seen that the concerned workman was engaged as casual worker and they used to pay wages @ Rs. 49.25 per day for the period of work which he used to perform in a month through and accordingly question of releasing pay to him as per the pay scale of Peon did not arise at all. It is admitted fact that the concerned workman was stopped from his job w.e.f. 10-11-95. They further submitted that the concerned workman never performed his duties for more than 240 days in a calendar year continuously. The submission made by the management is contrary to the claim made by the concerned workman. It is his contention that management stopped him from service without giving him any notice and paying him any retrenchment compensation. Before claiming so onus rests on the concerned workman to establish that as a worker he was retrenched from his job as per definition laid down in Section 2(oo) of the I.D. Act. According to Section 2(oo) "retrenchment" means the termination by the employer of the service of a workman for any reason whatsoever, otherwise than as a punishment inflicted by way of disciplinary action. The definition of "workman" on the contrary as per in Section 2(S) is as follows :—

"'workman' means any person (including an apprentice) employed in any industry to do any

manual, unskilled, skilled, technical, operational, clerical or supervisory work for hire or reward whether the terms of employment by express or implied, and for the purposes of any proceeding under this Act in relation to an industrial dispute, includes any such person who has been dismissed, discharged or retrenched in connection with, or as a consequence of, that dispute, or whose dismissal, discharge or retrenchment has led to that dispute."

Therefore, first criteria which is required to be fulfilled is that he was employed by the management to discharge certain works whether skilled or unskilled. Here in the instant case the concerned workman was engaged as a casual worker absolutely to perform certain casual nature of job at an intermittent period. It has been specifically mentioned by the management that the concerned workman never worked continuously till he was stopped from his service. They also categorically denied the claim of the concerned workman to give relief under Section 25F of the I.D. Act, 1947. As initial burden rests on the concerned workman, he cannot avoid responsibility to establish that he performed his duties continuously being employed by the management and put his attendance for more than 240 days in a calendar year and thereafter he was illegally retrenched by the management. Excepting the facts disclosed in the pleading, of the concerned workman I have failed to find out any such document relying on which his claim could be supported. Record shows that ample opportunity was given to the concerned workman to adduce evidence on his part in support of his claim but he did not consider necessary to adduce any oral or documentary evidence. It is to be borne in mind that facts disclosed in the pleading cannot be considered as substantive piece of evidence until and unless the same is substantiated by the cogent evidence excepting the facts which are admitted by the O.P. management. Here in the instant case inspite of getting ample opportunity the concerned workman has misused the opportunity given to him to substantiate his claim. Accordingly relying on the facts disclosed in the Written Statement submitted by him I find little scope to uphold his contention. Accordingly he is not entitled to get any relief. In the result, the following Award is rendered :—

"The action of the management of Telecom Electrical Division, Ranchi in terminating the services of Md. Ali is legal and justified. Consequently, the concerned workman is not entitled to get any relief."

B. BISWAS, Presiding Officer

नई दिल्ली, 9 नवम्बर, 2005

का.आ. 4550.—ऑद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार टेलीकॉम फैक्ट्री के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध

में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-I सुन्वई के पंचाट (संदर्भ संखा सीजीआईटी-21/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-11-2005 को प्राप्त हुआ था।

[सं. एल-40011/20/2002-आई आर (डी यू.)]
एन.पी. केशवन, डैस्क अधिकारी

New Delhi, the 9th November, 2005

S.O. 4550.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT-21/2002) of the Central Government Industrial Tribunal/Labour Court No. I, Mumbai now as shown in the Annexure in Industrial Dispute between the employers in relation to the management of Telecom Factory and their workman, which was received by the Central Government on 9-11-2005.

[No. L-40011/20/2002-IR(DU)]

N. P. KESAVAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO.1), MUMBAI

PRESENT:

Justice Ghanshyam Dass
Presiding Officer

REFERENCE NO. CGIT-21 OF 2002

PARTIES : Employers in relation to the management of Telecom Factory, Deonar
AND
Their Workmen.

APPEARANCES :

For the Management	:	Mr.. Radhakrishnan,
For the Union	:	Mr. J.P. Sawant, Adv.
State	:	Maharashtra

Mumbai dated the 21st Day of October, 2005.

AWARD

1. This is a reference made by the Central Government in exercise of its powers under clause (d) of sub-section 1 and sub-section 2A of Section 10 of the Industrial Disputes Act, 1947 (the Act for short). The terms of reference given in the schedule are as follows :

“Whether the action of the management of Telecom Factory, Deonar, Mumbai in transferring S/Shri Shrikant Govind Chalke, Santilal B. Jaiswar, Tanaji R.

Labde, A.B. Kamble, J.R. Kamble and Sh. T.C. Kamble from Shop No. 13 to Shop No. 31 with effect from May, 2000 is legal and justified ? If not, what relief the workmen concerned are entitled to ?”

2. The parties are absent today at the time of the call of the reference. The application dated 7-6-2005 moved by the workmen is pending for disposal wherein the workmen have prayed to this tribunal to the effect that they are not interested in prosecuting the matter. The management does not have any objection to it.

In these circumstances, the reference is accordingly answered in affirmative. The action of the management in transferring S/Shri Shrikant Govind Chalke, Santilal B. Jaiswar, Tanaji R. Labde, A.B. Kamble, J.R. Kamble and Sh. T.C. Kamble under this reference is held to be legal and justified.

JUSTICE GHANSHYAM DASS, Presiding Officer

नई दिल्ली, 9 नवम्बर, 2005

का.आ. 4551.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एम.टी.एन.एल. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-I सुन्वई के पंचाट (संदर्भ संखा सीजीआईटी-33/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-11-2005 को प्राप्त हुआ था।

[सं. एल-40012/29/2003-आई आर (डी यू.)]

एन.पी. केशवन, डैस्क अधिकारी

New Delhi, the 9th November, 2005

S.O. 4551.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT-33/2003) of the Central Government Industrial Tribunal/Labour Court No. I, Mumbai now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M.T.N.L. and their workman, which was received by the Central Government on 9-11-2005.

[No. L-40012/29/2003-IR(DU)]

N.P. KESAVAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO.1, MUMBAI

PRESENT :

Justice Ghanshyam Dass
Presiding Officer

REFERENCE NO. CGIT-33 OF 2003

PARTIES : Employers in relation to the management of MTNL, Curry Road, Telephone Exchange

AND

Their Workman (Shri Abdul Samad Memon)

APPEARANCES :

For the Management : Ms. J. Mahadik,
Adv.

For the Union : Mr. J.P. Sawant,
Adv.

State : Maharashtra

Mumbai dated the 19th Day of October, 2005.

AWARD

1. This is a reference made by the Central Government in exercise of its powers under clause (d) of sub-section 1 and sub-section 2A of Section 10 of the Industrial Disputes Act, 1947 (the Act of short). The terms of reference given in the Schedule are as follows :

"Whether the action of the management of Divisional Engineer (Admn.) Installation, MTNL, Curry Road Telephone Exchange, Mumbai by illegal terminating the services of Sh. Abdul Samad Memon is justified? If not, what relief the workman Sh. Abdul Samad Memon is entitled to?"

2. Having realised the mistake in the aforesaid drafting of the reference, the Central Government vide corrigendum dated 16-10-2003 corrected the aforesaid reference order to the extent as under : "In this Ministry's order of even No. dated 23-6-2003, the word "illegal" appearing in the 2nd sentence of terms of reference may be treated as omitted."

3. The claim of the workman is that he was employed by the management of the Sub-Divisional Engineer (Administration), M.T.N.L., Curry Road Telephone Exchange, Mumbai, w.e.f. 01-08-1984. The workman was in continuous service since then. He remained absent from duty on account of sickness w.e.f 14-2-1993 to 10-2-1999 since he was suffering from chronic anxiety neurosis. On recovery of illness the workman approached the management on 11-2-1999 with a request for permission to resume the duty, but he was not allowed and by its letter dt. 08-05-2001 informed the workman to appear before the Medical Board for medical examination. He accordingly, appeared before the Standing Medical Board of Sir J.J. Group of Hospital, Mumbai. He was certified for his illness and recommended for medical leave accordingly for the period of absentia. The workman repeatedly requested the management for permission for joining the duty but of no use. The workman raised an Industrial Dispute vide letter dt. 04-12-2001 before the Assistant Labour Commissioner

(Central) Mumbai. The management did not agree to the Conciliation proceedings and rather submitted a letter dt. 20-2-2002 to the Conciliation Officer informing him that the services of the workman are deemed to have been terminated forthwith. The Assistant Labour Commissioner accordingly vide letter dated 22-1-2003 forwarded the failure of Conciliation report to the Central Government which led to the instant reference. The workman has alleged that the action of the management for not following the principles of natural justice and terminating his services with effect from 20-2-2002 amounts to retrenchment as defined under Section 2(oo) of the I.D. Act and the same is illegal for not following the mandatory provisions of Section 25-F of the I.D. Act. Further, the termination of his service during the pendency of conciliation proceedings is in contravention of the provisions of Section 33-A of the I.D. Act. The workman has therefore, prayed for declaring the action of the management in not allowing the workman to resume his duty and terminating his services w.e.f. 20-2-2002 as illegal and unjustified and the management be directed to reinstate the workman in service with full back wages and consequential benefits.

4. The management has filed a written reply wherein it has been contended that the action of the management is just and legal. It is submitted that absence of the workman for a period of about six years was unauthorized. In accordance with the order issued by the department of Telecom vide letter No. 269-3/92-STN dated 29-10-92 the Chief General Manager has no power to condone break in service beyond one year on the ground whatsoever. Thus break in service on account of absence from duty for a period of continuous six years could not be condoned by the management and therefore, the question of permitting the workman to join duty could not arise. Thus, the service of the workman stand deemed to be terminated for abandonment of service by the remaining absent unauthorisedly. It is alleged that the unauthorized absence of about six years does not give any cause of action to the workman to raise an Industrial Dispute before the Asstt. Labour Commissioner for conciliation since there exists no Master or Servant relationship. It is further alleged that the recommendation of the Medical Board regarding sanction of medical leave could not be accepted for want of evidence in this respect and further, the absence was more than one year and thus it could not be condoned. The workman could not be employed and the services amounted for termination. The sickness of the workman could not be accepted on account of inconsistency in the medical certificate issued by the Medical Board. The workman could not file any evidence regarding treatment for his alleged sickness. The workman was given an opportunity of hearing vide notice dated 12-10-2001 but he could not avail that opportunity to substantiate his case. It is true that the workman was employed and was in service w.e.f. 01-08-1984 but he was a temporary workman and as per

paragraph 9 of Casual Labour (Grant of Temporary Status and Regularisation) Scheme of Department of Telecommunication 1989 if the labourer with temporary status commits the misconduct, the same is provided in an enquiry after giving reasonable opportunity, his services will be dispensed with. The workman failed to prove his case in disciplinary enquiry initiated by Notice dated 12-10-2001 and thus the workman cannot challenge his termination.

5. The workman filed rejoinder and reasserted his claim after denying the contentions raised by the management.

6. The following issues arises :

- (i) Whether the termination of services of the workman by the management with effect from 20-2-2002 amounts to retrenchment as defined under Section 2 (00) of the Industrial Disputes Act, 1947?
- (ii) Whether the management complied with conditions spccifid in Section 25-F of the Industrial Disputes Act, 1947?
- (iii) Whether the management contravened the provisions' of Section 33-A of the Industrial Disputes Act, 1947?
- (iv) Whether the action of the management in terminating the services of the workman with effect from 20-2-2002 is illegal and unjustified?
- (v) To what relief the workman is entitled?

7. The workman Abdul Samad Memon filed his affidavit. He was cross examined by the counsel for the other side. The management filed the affidavit sworn by Shri Rajakomarajah, Asstt. Gen. Manager (Admn.). He was duly cross examined by the counsel for the workman. The parties have filed certain documents on their behalf.

8. The learned counsel for the parties have filed their written arguments and have also made oral submissions before me.

9. On a perusal of the record, the admitted situation which emerges in this case is that the workman was in service with a temporary status w.e.f. 1-8-1984. He admittedly remained absent from duty for a period of about six years w.e.f. 14-2-1993 to 10-2-1999. He approached the management for permission to join duties on 11-2-1999 alleging that he was absent from duty on account of chronic anxiety neurosis. Admittedly, he was not allowed to resume duty and rather vide letter dt. 8-5-2001, he was referred to the Medical Board. Admittedly, the Medical Board of Sir J.J. Group of Hospitals certified the illness of the workman as chronic anxiety neurosis and recommended for leave for the entire absence. Although their appeared to be certain mistakes in writing the dates but the mistake was ultimately

corrected by the Board and the certificate of the Medical Board is very much available on record to certify illness and the absence of the workman. Still, the workman was not permitted to join the duties. The workman was issued a notice dated 12-10-2001 filed on record as paper No. 6 of the documents filed by ,the management. It is being mentioned in this letter that the undersignned (Sde) Administration, being the Disciplinary Authority, power of which delegated by the Competent Authority, it is hereby informed that your services may be terminated after a month from the date of receipt of notice by you, on account of misconduct, provided, if you fail to present adequate evidence to substantiate your statement of being sick in the period in question. The workman replied to this Notice on 31-10-2001 (Ex. W-5) on record. The management did not appear to have conducted any enquiry whatsoever since nothing is filed on record to show the conduction of enquiry for the alleged misconduct after a charge sheet. It rather disputed the claim of the workman before the Conciliation Officer and finally submitted a letter dated 20-2-2002 mentioning categorically that the service of the workman stood terminated forthwith. Admittedly, no compliance of the mandatory provisions of Section 25-F of the Industrial Disputes Act was done by the management. No departmental enquiry was conducted. No notice of termination of service was issued nor the payment of one month's wages etc. was made to the workman. Certain relevant provisions of the I.D. Act are quoted below:

Section 2(00): “retrenchment” means the termination by the employer or the service of a workman for any reason whatsoever, otherwise than as a punishment inflicted by way of disciplinary action but does not include—

- (a) voluntary retirement of the workman; or
- (b) retirement of the workman on reaching the age of superannuation if the contract of employment between the employer and the workman concerned contains a stipulation in that behalf; or
- (bb) termination of the service of the workman as a result of the non renewal of the contract of employment between the employer and the workman concerned on its expiry or of such contract being terminated under a stipulation on that behalf contained therein; or
- (c) termination of the service of a workman on the ground of continued ill health;

Section 25-F: Conditions precedent to retrenchment of workmen

No workman employed in any industry who has been in continuous service for not less than one year under an employer shall be retrenched by that employer until :—

- (a) the workman has been given one month's notice in writing indicating the reasons for retrenchment and the period of notice has

expired, or the workman has been paid in lieu of such notice, wages for the period of the notice;

(b) the workman has been paid, at the time of retrenchment, compensation which shall be equivalent to fifteen days average pay (or every completed year of continuous service) or any part thereof in excess of six months; and

(c) notice in the prescribed manner is served on the appropriate Government (for such authority as may be specified by the appropriate Government by notification in the Official Gazette.)

Section 33(1): conditions of service etc. to remain unchanged under certain circumstances during pendency of proceedings.

During the pendency of any conciliation proceedings before a conciliation Officer or a Board or of any proceeding before (an arbitrator or) a Labour Court or Tribunal or National Tribunal in respect of an industrial dispute, no employer shall—

(c) in regard to any matter connected with the dispute, alter, to the prejudice of the workman concerned in such dispute, the conditions of service applicable to them immediately before the commencement of such proceedings; or

(d) for any misconduct connected with the dispute, discharge or punish, whether by dismissal or otherwise, any workmen concerned in such dispute, save with the express permission in writing of the authority before which the proceeding is pending.

10. The learned counsel for the workman submitted that the action of the management in terminating the services of the workman is wholly arbitrary and unjustified for non compliance of the provisions of the (i) Section 2(oo) (ii) Section 25-F and (iii) Section 33-A of the I.D.Act. The termination order dated 20-2-2002 is illegal and the workman is entitled to continuance of duty. The learned counsel for the management submitted by vehemently arguing on the basis of the written arguments running into 21pages that the action of the management cannot be said to be illegal. The basis of contention is that the Chief General Manager, M.T.N.L, has no power to condone the break in service running in years together on account of alleged illness and hence the service stood terminated by abandonment and came to an end automatically. The workman could not file the proof of treatment of the illness. He committed misconduct. Due opportunity of hearing was given. The reliance is placed upon a case reported in 2001(5) Service Law Reported page 672 Union of India vs. Ravindra Kumar Singh decided by Calcutta High court, wherein the

Court held that absence of duty could not be treated as continuous service but it amounted to break in service if the workman absented himself voluntarily. Absence could not be ignored and thus the termination of the workman was justifiable.

11. The letter No. STE(A)1/PF-86/93-9/2—2 dated 1st August 2003 issued by the M.T.N.L. has been filed on record to show that the termination of the service of the workman temporary status mazdoor is fully justified.

12. The management has also filed the casual labourers (Grant of temporary status and regularization) scheme. It provides termination of service vide sections 8 and 9 which are reproduced below:

Section 8: Despite conferment of temporary status, the services of a casual labourer may be dispensed within accordance with the relevant provisions of the Industrial Disputes Act 1947, on the ground of non-availability of work. A casual labourer with temporary status can quit service by giving one month's notice.

Section 9: If a labourer with temporary status commits a misconduct and the same is proved in the enquiry after giving him reasonable opportunity, his services will be dispensed with. They will not be entitled to the benefits of encashment of leave on termination of services.

The management has referred a copy of the letter No.269-3/92-STC dated 29-1-1992 which lays down that Chief General Manager has no power to condone break in service beyond one year and in any case condonation beyond one year cannot be considered.

13. Having heard the learned counsel for the parties and perused the evidence filed on record, it appears that main emphasis of the management is about the long absence of duty by the workman., which it termed to be unauthorized. Since the long absence could not be condoned by the Chief General Manager, M.T.N.L, the service of the workman stood terminated automatically. The services were finally terminated vide letter dated 20-2-2002 submitted before the Conciliation Officer. The long absence of the workman was referred to the Board of Telecommunication which informed vide its letter dated 1-8-2003 that long absence could not be condoned and there was no need to refer to the Board and hence the termination of the workman was justified.

14. I feel that there is no provision of law under the Industrial Disputes Act that long absence of the workman amounted to automatic termination or that the services stood terminated by abandonment. This plea of the management is baseless.

15. No doubt, the workman remained absent for about six years. The ground of absence, that is the illness is being certified by the Medical Board to which the workman was referred. The management did not accept it correct. I

am not to give any finding at this stage as to whether the illness certified by the Medical Board is to be accepted or not. I am not required to give any finding whether the absence of the workman can be categorized as unauthorized. This course was available to the management by holding an enquiry for the alleged misconduct on account of long absence. The management did not choose to avail that. It acted apparently arbitrarily. It did not inform the workman at all prior to the Notice dated 22-2-2001, wherein a workman was asked to explain about the misconduct. It appears that this letter too was not acted upon for initiating departmental enquiry for the misconduct. The workman submitted reply. He was not informed of the progress of the action of the aforesaid Notice. For the first time, the management came up with the letter before the Conciliation Officer on 20-2-2002 wherein services of the workman were terminated forth with. I feel that the letter does not permit the management to behave in this fashion. The services of the workman could never be terminated in the manner it has done in the instant case. No doubt, the workman was a temporary status mazdoor but even then his services could be terminated after holding an enquiry about the alleged misconduct. This legal position is clear from the perusal of the Casual Labourers (Grant of temporary status regularization) scheme. Sections 8 and 9 already quoted above. The termination of temporary status mazdoor amounts to retrenchment under Section 2(oo) of the Act, the management is bound to comply with the provisions of the Section 25-F of the Act and its non-compliance amounts to the termination as illegal. The provisions of section 33-A of the Act were also contravened in the instant case for the obvious reason that the management terminated the services of the workman for the first time while the proceedings were pending before the Conciliation Officer. Hence the action of the management in terminating the services of the workman in the instant case cannot be held to be justifiable. The ruling relied upon by the learned counsel for the management reported in 2001(5) Service Law Reporter page 672 is not helpful at all at the facts of the presence case for the reason the management could say the absence of service as unauthorized and break in service after holding an enquiry for the alleged misconduct. The management could not presume the absence to be unauthorized and draw a conclusion that the services stood terminated automatically without following due procedures of law. I am fortified by the very recent judgement of Allahabad High Court reported in 2005-III LLJ page 51 decided on March 18, 2005, wherein the Court held that the Respondent Bank if it was of the view that the absence was unauthorized, should have taken Disciplinary proceedings against the employee and could terminate the services after giving proper opportunity of hearing. The impugned order of termination was therefore bad and illegal for contravention of principles of natural justice.

16. In view of what has been discussed above, I

conclude that the action of the management in terminating the service of the workman Shri. Abdul Samad Memon is not justified. The workman is accordingly entitled to be reinstated in service and he would be deemed to be in continuous service w.e.f. 20-2-2002. He will not be entitled to any pay etc. for the period of absence from 14-2-1993 to 19-2-2002. This period would not be taken towards service.

The reference is accordingly answered.

Justice Ghanshyam Dass
Presiding Officer

नई दिल्ली, 9 नवम्बर, 2005

का. आ. 4552.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार उड़ीसा मैनेजरिंग एंड मिनरल्स प्रा. लि. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, भुवनेश्वर के पंचाट (संदर्भ संख्या 417/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-11-2005 को प्राप्त हुआ था।

[सं. एल-27011/6/2001-आई आर (विविध)]

बी. एम. डेविड, अधर सचिव

New Delhi, the 9th November, 2005

S.O. 4552.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 417/2001) of the Central Government Industrial Tribunal cum Labour Court, Bhubaneswar as shown in the Annexure, in the Industrial Dispute between the management of M/s. Orissa Manganese & Minerals Pvt. Ltd. and their workman, received by the Central Government on 9-11-2005.

[No. L-27011/6/2001-IR (M)]

B.M. DAVID, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT BHUBANESWAR

Present :

Shri N.K.R. Mohapatra, Presiding Officer,
C.G.I.T.-Cum-Labour Court,
Bhubaneswar.

INDUSTRIAL DISPUTE CASE NO. 417/2001

Date of Passing Award, 14th October, 2005

Between :

The management of the Managing Director,
Orissa Manganese & Minerals Pvt. Ltd.,
At/PO. Koria,
Distt. Sundargarh ...1st Party—Management

AND

Their Workmen represented
through the Secretary,
Orissa Minerals Workers Union,
P.O. Barsuna, Distt. Sundargarh ...2nd Party—Union
Appearances :

None For the 1st Party—Management
Shri R.P. Singh For the 2nd Party—Union

AWARD

The Government of India in the Ministry of Labour in exercise of Powers conferred by Clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication vide their Order No. L-2701 I/6/2001-IR(M), dated 12-07-2001/3-8-2001 :—

SCHEDULE

"Whether the action of the management of Orissa Manganese Minerals Pvt. Ltd. in dismissing Shri Udhaba Naik, Dumper Driver from services justified? If not, to what relief the workman is entitled?"

2. The workman Shri Udhaba Naik was working as a Dumper Operator in the quarry of the 1st Party-Management, Orissa Manganese & Minerals (Pvt.) Limited. On 19-8-1997 he was found sleeping during working hours by keeping idle his dumper No. 3144. On being questioned by the Permit Manager, it is alleged, he scolded him in slang language and then assaulted him causing badly injury. He also assaulted another worker Baikuntha Patra when the later tried to came to the rescue of the Permit Manager. On these allegations he was placed under suspension and then dismissed from service on such charges being proved in the departmental enquiry.

Challenging above order of dismissal the 2nd Party-Workman raised an Industrial Dispute through his Union, Orissa Minerals Workers Union (1st Party) and hence the reference.

3. Challenging the above action of the 1st Party-Management it is alleged by the Union in its claim statement that the entire charges brought against the workman were totally false and baseless and so much so no subsistence allowance was paid to the workman and that in the enquiry initiated against him he was not given any opportunity to defend himself or to cross-examine the Management witness. On the other hand the Management hastily closed

the enquiry proceeding on 4-9-1997 and dismissed the workman on the recommendation of the enquiry officer.

4. In reply to the above the Management (1st Party) averred in its counter that full and sufficient opportunity was provided to the workman to defend himself in the enquiry proceeding but he had willfully remained absent and had not given any show-cause when asked for. Even when the order of dismissal was sent to him he refused to receive the same from the office peon and when sent by registered post it was again refused and as such the action of the Management is not open to challenge the same having been passed after due consideration of the gravity of the charges duly proved.

5. On the basis of above pleadings of the parties four issues were framed and out of it Issue No. 2 relating to the propriety and fairness of the domestic enquiry was taken up first as preliminary issue and in its order dated 14-2-2003 the Tribunal came to hold that the domestic enquiry was not properly conducted. For proving the remaining issues and to adduce fresh evidence on the various charges the Management was provided opportunity in the self same order. To adduce such fresh evidence the Management took several adjournments and ultimately remained absent without taking any step on 5-8-2003. To provide him another opportunity he was noticed from the side of the Tribunal but it was of no consequence. Again, another one such notice notice was sent to him on 12-7-2005 to ensure his presence but the same also did not yield any result for which his case was to be closed fixing the case for award.

6. It be noted here that where an order of dismissal or discharge has been passed on the basis of a domestic enquiry the disciplinary authority (Management) is to prove how fairly such enquiry was conducted and once such enquiry is held to have not been fairly conducted the order of dismissal/discharge is liable to be set aside in normal circumstances, unless the Management opts to adduce fresh evidence to prove the charges. As in the instant case the Management has failed to adduce evidence to prove the charges after the departmental enquiry held by it was declared bad, there remains no option left with the Tribunal except to declare that the action of the Management in dismissing the workman from service is bad under law. Accordingly the order of the dismissal passed against the workman is set aside, as the Management has failed to prove the charges (allegations) against the workman.

7. Now coming to the relief part of the award it would not be out of place to mention here that normally where an order of dismissal is set aside the delinquent Workman is to be reinstated in service with or without back wages depending upon the nature of each case. During argument it was submitted by the 2nd Party Union that the employer company is no more running. From the postal endorsement

appearing on the notice that has returned undelivered on the Management, it appears that the establishment of the Management has been closed and its gates have been locked long since. In these premises no useful purpose would be served if the workman is asked to be reinstated in service. Therefore in lieu of reinstatement and back wages the Management is directed to pay Rs. 80,000/- to the workman as compensation.

8. Reference is answered accordingly.

Dictated & Corrected by me.

N. K. R. MOHAPATRA, Presiding Officer

नई दिल्ली, 9 नवम्बर, 2005

का.आ. 4553.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नेशनल एन्यूमिनियम कं. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, भुवनेश्वर के पंचाट (संदर्भ संख्या 4/2003) को प्रकाशित करती है. जो केन्द्रीय सरकार को 9-11-2005 को प्राप्त हुआ था।

[सं. एल-29011/53/2002-आई आर (विविध)]

बी. एम. डेविड, अवर सचिव

New Delhi, the 9th November, 2005

S.O. 4553.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 4/2003) of the Cent. Govt. Indus. Tribunal -cum-Labour Court, Bhubaneswar as shown in the Annexure, in the Industrial Dispute between the management of M/s. Fab Erectors, Engineers & Contractors, Civil, M/s. Moon Light Constructions, M/s. Prompt Engineering, Contractors, M/s. Prumatech Services(P) Ltd., the Executive Director, (Principal Employer) NALCO, and their workman, which was received by the Central Government on 9-11-2005.

[No. L-29011/53/2002-IR(M)
B.M. DAVID, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT BHUBANESWAR

Present :

Shri N.K.R. Mohapatra, Presiding Officer
C.G.I.T.-cum-Labour Court,
Bhubaneswar.

INDUSTRIAL DISPUTE CASE NO. 4/2003

Date of Passing Award— 5th October, 2005

Between :

1. The Management of M/s. Fab Erectors,
Engineers & Contractors,
Civil, Mechanical,
Electrical. M & R Complex,
NALCO Damanjodi,
Koraput-736008.

2. M/s. Moon Light Constructions,
At/Po. Mathalput,
NALCO, Damanjodi,
Koraput.

3. The Executive Director,
(Principal Employer),
NALCO, M & R Complex,
Damanjodi Koraput.

4. M/s. Prompt Engineering Contractors,
Fabricators & Erectors,
T-4, Sector-1, Damanjodi 1st Party-Management

AND

Their Workman represented through
the General Secretary,
Alumina Majdoor Sangh,
NALCO, PD Damanjodi, Koraput- 763008.

..... 2nd Party-Union

APPEARANCES :

Shri Ch. B.K. SubudhiFor management No. 4
NoneFor Other Managements
NoneFor the 2nd Party-Union

AWARD

The Government of India in the Ministry of Labour, in exercise of the Powers conferred by Clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication vide their Order No. L-29011/53/2002 IR(M), dated 11-02-2003 :—

"Whether the action of the management of M&R Complex of M/s. NALCO, Damanjodi represented through the Executive Director in not providing the allowances such as Tiffin Allowance, Washing Allowance, Medical, Liveries, Yearly Ex-gratia, incentives, project allowance, cycle allowance and School facilities to the contract labourers employed in Mechanical Maintenance Wing by the contractors considering their length of service, experience and essentialities to the Organization is legal and justified? If not, what relief the workmen are entitled to and from which date?"

2. At the very outset it may be stated that except the Principal Employer (the Management of NALCO) and the

General Secretary of Alumina Mazdoor Sangh (hereinafter referred as Union) the rest of the parties have been set ex parte for their non-participation.

3. In its claim petition the Union has claimed that since the contract labourers engaged by different contractors in the mechanical maintenance wing of the Principal Employer are guided by the Contract Labourers (Regulation and Abolition) Act 1970, they under the definition of the term "wages" as defined under Section 2(h) of the payment of Wages Act are entitled for tiffin allowance, washing allowance, medical allowance, liveries, yearly ex-gratia, incentives, project allowance, cycle allowance and school facilities from their employers.

4. The sole contesting Principal Employer i.e. the Management of NALCO on the other hand has averred mainly that the case in its present form is not maintainable before this Tribunal in as much as the Central Government is not the appropriate authority to refer the case to the Tribunal. According to it since the contract labourers are working in its Alumina Refinery Plant, a factory under the definition of Factory Act and the same not being a mine, the Central Government is totally incompetent to make the present reference and as such the same is bad under law. In addition to above it is further pleaded in respect of different claims of the Union that the contract labourers having been engaged by different contractors they are guided by the service conditions prescribed by their respective immediate employers but in no way the NALCO is responsible to provide the benefits claimed by the Union in question.

5. On the basis of the pleadings of both the parties the following issues were framed :

ISSUES

1. Whether the reference is maintainable?
2. Whether the action of the Management of M&R Complex, of M/s. NALCO, Damanjodi, represented through the Executive Director in not providing the allowances such as Tiffin Allowance, Washing Allowance, Medical, Liveries, Yearly Ex-gratia, incentives, project allowance, cycle allowance and School facilities to the contract labourers employed in Mechanical Maintenance Wing by the Contractors considering their length of service, experience and essentialities to the Organization is legal and justified?
3. If not, what relief the workmen are entitled to and from which date?
6. Instead of adducing any oral evidence both parties wanted the Tribunal to decide first the maintainability of the case and accordingly this issue is taken up first.

ISSUE NO.1

7. From the statement of claim submitted by the Union it appears that the present reference has been made in respect of the contract labourers engaged in the plant site of the NALCO which is different from the mines area. During argument it was conceded by the Union that their contract labourers are different from those engaged in the mines. From the very claim statement it is clear that the contract labourers in respect of whom the present reference has been made are working in the Alumina Plant of NALCO for regular maintenance work in Rolling Towers, evaporator plants, core handling plants, steel generation plant and for removing waste lime from lime handling plant etc. all suggesting that their place of deployment is within the factory premises of Alumina Plant of the NALCO. In a similarly situated case between NALCO and Union of India and another [W.P.(C) 3425/2002 and W.P. (C) 3426/2002] it has been held by our own High Court that the Central Government is not the appropriate Government to make such reference under Section 2(a) of the Industrial Disputes Act and Sectoin 2(1)(a) of the Contract Labour (Regulation & Abolition) Act, 1970.

8. In view of the above it is held that the present reference by the Central Government is bad under law and as such the reference is not maintainable before the Tribunal. It is however open to the Union to agitate the dispute before the appropriate forum of State Government if it so like.

9. In view of the above finding on Issue No.1 the other issues are left unanswered.

10. Reference is answered accordingly.

Dictated & Corrected by me.

N. K. R. MOHAPATRA, Presiding Officer

नई दिल्ली, 9 नवम्बर, 2005

का. आ. 4554.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार संधान बिनरलस लि. के प्रबंधतात्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकारण, धनवाद संखा 2 के पंचाट (संदर्भ संखा 114/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-11-2005 को प्राप्त हुआ था।

[सं. एल-29012/49/2004-आई आर (विविध)]

बी. एम. डेविड, अवर सचिव

New Delhi, the 9th November, 2005

S.O. 4554.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central

Government hereby publishes the award (Ref. No. 114/2004) of the Central Govt. Indus. Tribunal-cum-Labour Court, Dhanbad No.2 as shown in the Annexure, in the Industrial Dispute between the management of M/s Mandhyan Minerals Corp. and their workmen, which was received by the Central Government on 9-11-2005.

[No. L-29012/49/2004-IR(M)]
B. M. DAVID, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO.2) AT DHANBAD

PRESENT:

Shri B. Biswas, Presiding Officer.

In the matter of an Industrial dispute under Section 10(1) (d) of the I.D. Act, 1947.

Reference No. 114 of 2004

PARTIES: Employers in relation to the management of M/s. Mandhyan Minerals Corp. and their workmen.

APPEARANCES:

On behalf of the workmen: None

On behalf of the employers: Mr. S.N. Sinha,
Advocate.

State: Jharkhand Industry: Stone
mine

Dated, Dhanbad, the 24th October, 2005

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1) (d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-29012/49/2004 (IR) (M) dated, the 12th October, 2004.

SCHEDULE

"Whether the action of the management of M/s. Mandhyan Minerals, Pakur in terminating the services of S/Shri Bahadur Marandi, Kalidas Marandi, Sarkar Marandi, Kubraj Marandi and Bharat Marandi without complying with Section 25F of I.D. Act is Legal and/or justified? If not to what relief the above workmen are entitled?"

2. In this case neither the concerned workmen nor their representative appeared before this Tribunal. No written Statement also was filed on their behalf. Management, however, made appearance through their authorised representative and filed Written Statement. It transpires from the record that registered notices and show

cause notice consecutively were issued to them. In terms of rule 10(B) of the I.D. Central Rules, 1957 it is mandatory on the part of the concerned workmen/sponsoring union to file statement of claim complete with relevant documents list of reliance and witnesses before the Tribunal within 15 days from the date of receipt of the order of reference. The concerned workmen/sponsoring union not only violated the above rules but also even did not consider necessary to respond to the notices issued by this tribunal. Gesture of the concerned workmen/sponsoring union if is taken into consideration will expose clearly that they are not interested to proceed with the hearing of the case. Under such circumstances, this Tribunal also finds no ground to adjourn the case *suo motu* for days together for taking steps by the workmen/sponsoring union. Hence, the case is closed and accordingly a no dispute award is passed in this reference presuming non-existence of any industrial dispute between the parties.

B. BISWAS, Presiding Officer

नई दिल्ली, 9 नवम्बर, 2005

का. आ. 4555.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इण्डियन ऑयल कॉर्प. लि. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, धनबाद संख्या 1 के पंचाट (संदर्भ संख्या 174/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-11-2005 को प्राप्त हुआ था।

[सं. एल-30011/6/2000-आई आर (विविध)]

बी. एम. डेविड, अवर सचिव

New Delhi, the 9th November, 2005

S.O. 4555.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 174/2000) of the Central Government Industrial Tribunal-cum-Labour Court, Dhanbad No.1 as shown in the Annexure, in the Industrial Dispute between the management of Indian Oil Corporation Ltd., and their workmen, received by the Central Government on 9-11-2005.

[No. L-30011/6/2000-IR (M)]

B. M. DAVID, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO.1) DHANBAD

In the matter of a reference U/s. 10(1) (d) (2A) of I.D. Act

REFERENCE NO. 174 OF 2000

PARTIES:

Employers in relation to the management of Indian Oil Corporation Ltd.
AND
 Their workmen

PRESENT:

SHRI SARJU PRASAD, Presiding Officer

APPEARANCES:

For the Employers : Shri P. Banerjee, Advocate,
 : Shri A. Chosh, Advocate &
 : Shri P.K. Bose, Advocate

For the Workmen : Shri D. Mukherjee, Advocate.

State: Jharkhand : Industry : Oil

Dated, the 21st October, 2005

AWARD

By Order No. L-30011/6/2000-IR (M) dated 31-5-2000 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the claim of Indian Oil Shramik Union, Eastern Region (Marketing Division) for regularising S/Shri Lakshman Routh and 9 others with the I.O.C.Depot, Dhanbad, is justified? If so, to what relief the concerned workmen are entitled?"

2. The case of the sponsoring union is that Lakshman Routh and 9 others whose names find place in the term of reference are doing the job of loading and unloading of petroleum product within the precinct and premises of Indian Oil Corporation Ltd. under the direct control and supervision of the management and as such have put in more than 240 days attendance in each calendar year. They are rendering service and producing goods for the benefit of the management under the direct control and supervision of the management and all the implements for the jobs are being supplied by the management, therefore, legally they are the employees of the management of Indian Oil Corporation Ltd., but the management to exploit and deprive them of their legitimate wages and other dues have been disbursing their wages below the prescribed rate through different intermediaries which is nothing but legal camouflage. The further case of the sponsoring union is that besides the concerned workmen there is one Ashok Bansfore who is working as sweeper since long continuously and has put in more than 240 days attendance in a calendar year, but his name has not been included in the terms of reference and for that they will be taking necessary action. However, his name has not been included in this reference, therefore we are not concerned with the case of Ashok Bansfore. The claim of the sponsoring union is that for all practical purpose the concerned persons are the workmen of Indian Oil

Corporation and therefore they should be regularised and made payment of wages and other benefits as prescribed for the permanent employees of Indian Oil Corporation doing the same and similar nature of job.

3. The case of the Indian Oil Corporation Ltd. is that the persons named in the term of reference are contract labourers of the contractor, Upendra Kumar Singh who has been assigned contract to execute certain works mainly relating to loading and unloading materials at its Depot at Dhanbad through his own labour and for this purpose I.O.C. is registered as a principal employer in terms of Contract Labour (Regulation & Abolition) Act, 1970 and the contractor, Upendra Kumar Singh, also holds a valid licence under the said Act. The job of loading and unloading of petroleum product at the Railway Siding or at the Depot of Indian Oil Corporation has not been prohibited by appropriate Government for being performed by the contractor, therefore, the management is fully justified in engaging a contractor for loading and unloading of petroleum product at its Railway Siding as well as in its Depot and the concerned workmen are not the workmen of the management of Indian Oil Corporation. Therefore, their demand is not justified. The management of Indian Oil Corporation has also vaguely challenged the validity of the reference and has pleaded that in the garb of this reference the sponsoring union wants prohibition for engagement of contractor by this Tribunal which is beyond the jurisdiction of this Tribunal.

4. Both the parties have led evidence oral as well as documentary in order to prove their case. According to the evidence of WW-1-Md.Alauddin Ansari, one of the concerned workmen, they are working since the year 1982 and till today they are doing the same job of unloading of the petroleum product under the Depot Manager of Indian Oil Corporation, Dhanbad. It has not been challenged that the concerned workmen are doing the job of unloading of petroleum product at the Railway Siding of the Indian Oil Corporation from the year 1982 nor the management has any evidence to the contrary to the claim of the concerned workmen. The sponsoring union has filed xerox copy of the wage-sheets of the year 1998 which have been marked Exts. W-1 to W-1/5 from which it appears that the concerned workmen have been working for more than 240 days in a calendar year. It is admitted that payment of wages has been made in presence of the representative of the management of Indian Oil Corporation and Exts. W-1 to W-1/5 appear the signatures of the representative. The management's witness, MW-1 has admitted his signature in Ext. W-1 series and has also identified the signature of Sri S. Kumar, Sr, Depot Manager, who was posted there prior to him. From the evidence of management's witness MW-1 it appears that the Indian Oil Corporation has a Railway Siding where petroleum Product are transported

from various places and the petroleum products are unloaded at the Railway Siding by means of pipelines laid down at the Railway Siding for the said purpose. According to MW-1 this process of unloading petroleum is continuous and of permanent nature of job. This job will be in existence till there is a Depot of Indian Oil Corporation at Dhanbad. From his evidence it is apparent that actually petroleum products are transported from various places in Railway Tankers and the same are unloaded by connecting the pipeline and the Railway Tanker by means of house-pipe. The petroleum products are drained out through those pipes to the Petroleum Depot of Indian Oil Corporation and from Petroleum Depot again the Petroleum Products are loaded in different tankers and lorries for being supplied to different Dealers. According to the evidence of MW-1 the Indian Oil Corporation has got two sets of employees for doing the jobs of loading and unloading of the petroleum products. One set of job is being performed by the concerned workman whom the management asserted a contractor's labourers and the other part of the job is being performed by permanent workmen of Indian Oil Corporation in the Depot while loading Petroleum Products in different tankers, lorries. Thus the work of unloading of petroleum products at the Railway Siding and the work of loading of the petroleum products at the Depot in different tankers, lorries are co-existence with each other.

The management has produced the renewal licence of the Contractor, Upendra Kumar Singh which has been marked Ext. M-1. They have also filed xerox copy of work order dated 4-5-2002 given to the alleged contractor which has been marked Ext. M-2 and the registration certificate of Indian Oil Corporation under the Contract Labour (Regulation & Abolition) Act, 1970. From the Exhibits filed by the management it appears that the renewal licence Ext. M-1 is dated 11-9-2002 i. e. after this case has been referred to this Tribunal. Similarly Ext. M-1/1 another licence which is dated 30-7-2002 and has been granted on application dated. 22-7-2002. Thus, Exts. M-1 and M-1/1 both the licences of the contractor have been obtained after this case has been referred to this Tribunal. The management has not filed any licence prior to the raising of the dispute by the sponsoring union before the Asstt. Labour Commissioner (Central), that means the alleged contractor, Upendra Kumar Singh was not a licensee under the Contract Labour (Regulation & Abolition) Act on the date when the present dispute was raised. These Exts. M-1 and M-1/1 have been obtained afterwards when the dispute was referred to this Tribunal. Similarly, the management has filed a work-order dated 4-5-2002 which has been marked Ext. M-2. This work order has also been given to the alleged contractor after this dispute has been referred to this Tribunal. The management has filed a registration certificate of principal employer under Sec. 7(2) of the Contract Labour (Regulation & Abolition) Act, 1970 and

Rules 18 (1) of the Contract Labour (Regulation & Abolition) Central Rules, 1971 which is dated 3/16-8-1993. the concerned workmen have clearly deposited that they are working with the management of Indian Oil Corporation in the job of unloading of petroleum products right from the year 1982, but the management has not filed any certificate of registration as principal employer from the year 1982 to the year 1992. Therefore, it is clear that when the concerned workman work engaged in the work of unloading of petroleum products at that time neither the alleged Contractor nor the Principal employer. i. e. the management of Indian Oil Corporation were having licence and registration certificate as required under the provision of Contract Labour (Regulation & Abolition) Act, 1970. The management's witness — MW-2- has admitted that for a Principal Employer a Tender Register in Form—12 is required to be maintained, but the management has not produced any such register to show that any contract work has been allotted right from the year 1982 to the date of raising this industrial dispute. the management has not filed any work order showing engagement of contractor till before the dispute has been referred to this Tribunal. Therefore, the management has not been able to show that any tender was floated for the contractors, quotations were invited and work order was issued right from the year 1982 for engagement of contractor for doing the job of unloading of petroleum products at the Railway Siding. From the list enclosed to the term of reference it appears that the list has been furnished under signature of the contractor, Ghosh & Sons showing that the work of loading and unloading was going on from the year 1976 to May 1992 under the so-called contractor, Ghosh & Sons and the same set of workmen were doing the job of unloading of the petoroleum products, Since the management has not produced any tender register, any notice inviting tender, quotations received from different contractors and the work order given to the contractor till before the reference of the present dispute and admittedly the concerned workmen are working under the management under different so-called contractors right from the year 1982. Therefore, the paper arrangement for payment of wages through same contractor or others is nothing but a camouflage in order to deprive the concerned workmen just and proper wages and other benefits as payable to the permanent workmen.

5. The learned lawyer for the concerned workmen has placed reliance in off quoted judgements of Basti Sugar Mill Vs. Ram Ujagar & others, reported in 1963(II) LLJ-447(SC), United Salt Works and Industries Limited, Kandla Vs. Their Workmen-reported in 1962(I) LLJ-131(SC), Saraspur Mills Company Limited Vs. Ramanlal Chimnalal-reported in SCLJ (10) page 21, Royal Talkies Vs. ESI, reported in (1978) 4 SCC 204, Hussain Bhai Vs. Alath Factory, reported in 1978 Lab.I.C. 1264 (SC), Shankar Mukherjee & Ors. Vs. Union of India & Ors., reported in

1990 (60) FLR page 20(SC), R.K.Panda & Ors. Vs. SAIL reported in 1994 LLR 634, D.C.Dewan Mohideen Sahib & Sons Vs. United Bidi Workers Union, Salem & Anr. reported in 1964(2) LLJ-633 and some other case also, and on that basis he has contended that on applying the principles laid down by our Apex Court in various cases referred above it will be crystal clear that in the present case the contention of the employers—Indian Oil Corporation that the concerned persons are the workmen of the contractor is nothing but a camouflage and in reality the concerned workmen are rendering services for the benefit of the principal employer and therefore for all practical purposes the concerned workmen are the workmen of the management of Indian Oil Corporation who have been working for more than 20 years without getting proper wages and other benefits. Therefore, they may be ordered to be regularised by the management of Indian Oil Corporation, Dhanbad Depot as their permanent workmen with all the benefits which a permanent workman of such category is entitled to.

From the circumstances mentioned above I find that it is really a shocking that a Company like Indian Oil Corporation is exploiting the concerned persons for more than last 20 years by not paying the adequate wages and other benefits like the benefit of Provident Fund, leave etc. Although it has been submitted that Indian Oil Corporation has got its own recruitment process and any

workman is to be regularised only if there is any vacancy in the sanctioned post, but it appears that the management has not adduced any evidence to show that there is no vacancy nor has led any evidence to show that they have got surplus work force. On the contrary, from the circumstances it appears that they are taking work from the concerned workman for more than last 20 years and in that fact of the matter it will be rather shocking to say that there is no vacancy.

6. In the circumstances mentioned above, I find that the claim of Indian Oil Shramik Union, Eastern Region (Marketing Division) for regularisation of Lakshman Rout and 9 others with the I.O.C. Depot, Dhanbad is justified and they are entitled to be regularised as permanent employees.

7. In the result, I render following award—

The claim of Indian Oil Shramik Union, Eastern Region (Marketing Division) for regularisation of S/Shri Lakshman Rout and 9 others whose names find place in the list of reference (Appendix) is justified and the concerned workmen are entitled for regularisation as permanent employees and wages and other benefits as a permanent employee. The management is directed to regularise them as their permanent workmen within 30 days from the date of publication of the award.

SARJU PRASAD, Presiding Officer

APPENDIX

Name and address of the enlistment in/under
which contract is carried on M/s. IOC from 1976 to 1992.

Location and nature of work : IOC Dhanbad Depot, brenial nature of work. Such as loading /unloading of T/L/T/W and various other work.

Name and address of the workmen : Working for the interest of M/s. Indian Oil Corporation, Dhanbad Depot.

Name	Nature of work	Rate of wages	Remarks
1	2	3	4
1. Laksman Rout S/o Achhaylal Rout Address-Manaitand, Kumharpatti, Prabhat Nagar, Dhanbad aged 44 years. Mark of identification—Lahasan on the Rt. Body.	1976 to May 1992 Loading/Unloading T/L/T/W and other works as per the order of Corp.	Rs. 60/- P.M.	Work without any intervention.
2. Shankar Pd. Shaw S/o L. K.P.Shaw of Gandhinagar, Dhanbad, aged 45 years. Mark of identification—Burn on L. T. Leg.	1976 to 1992	Rs. 75/- P. M.	-do-
3. Md. Samid S/o Late Md. Saddique of Kumharpatti, Dhanbad, aged 45 years. Marks of identification—Cut marks in Lt.Leg.	1978 to 1992	Rs. 75/- P.M.	-do-
4. Md. Samsuddin S/o Late Md. Fidda Hussain of Tikiapara,	1978 to 1992	Rs. 900/- P.M.	-do-

1	2	3	4
Dhanbad, aged 40 years. Mark of identification—Cut marks on Lt. Arms.		Work with out any interuption	
5. Abdul Azad S/o Late Abdul Hamid of Rly. Cinema Road, Purana Bazar, Dhanbad, aged 26 years. Mark of identification.	1985 to 1992	Rs. 525/- P.M.	-do-
6. Md. Allauddin S/o Md. Yasin Ansari of Tikiapara, Dhanbad, aged about 25 years. Mark of identification Cut mark on Rt. wrist.	1985 to 1992	Rs. 525/- P.M.	-do-
7. Md. Quiyum Ansari S/o Md. Hassim Ansari, of Tikiapara, Dhanbad, aged 25 years. Marks of identification—Wounds mark on Rt. Hand.	1985 to 1992	Rs. 525/- P.M.	-do-
8. Md. Sabir Ansari S/o Late Md. Razaque Ansari of Tikiapara, Dhanbad, aged 26 years. Marks of identification—Cut marks on left side of the body.	1986 to 1992	Rs. 525/- P.M.	-do-
9. Pawan Kumar Mahato S/o Late Sheo Pujan Mahato of Gurunanakpura, Joraphattak—Dhanbad, aged 27 years. Marks of identification—	1986 to 1992	Rs. 600/- P.M.	-do-

Signature of the Contractor with Seal

Ghosh & Sons Contractor, Builders & Commission Agents

नई दिल्ली, 9 नवम्बर, 2005

का. आ. 4556.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बाउला क्रोमाईट माइंस ऑफ फेकोर के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, भुवनेश्वर के पंचाट (संदर्भ संख्या 94/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 09-11-2005 को प्राप्त हुआ था।

[सं. एल-29012/1/93-आई आर (विविध)]

बी. एम. डेविड, अवर सचिव

New Delhi, the 9th November, 2005

S.O. 4556.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 94/2001) of the Central Government Industrial Tribunal-cum-Labour Court, Bhubaneswar as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Baula Chromite Mines of FACOR and their workman, which was received by the Central Government on 9-11-2005.

[No. L-29012/1/93-IR (M)]

B.M. DAVID, Under Secy.

BEFORE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, BHUBANESWAR

Present :Shri N.K.R. Mohapatra, Presiding Officer
C.G.I.T.-cum-Labour Court, Bhubaneswar.**Tr. Industrial Dispute Case No. 94/2001**

Date of Passing Award - 21st October, 2005

Between :

The Management of the Agent, Baula Chromite Mines of FACOR, Laxmi Bhawan, Kuans, Bhadrak, Dist. Balasore. 1st Party-Management

AndTheir Workman represented through
the General Secretary,
North Orissa Workers Union,
Rourkela-12. 2nd Party-Union**Appearances :**

Shri Ashok Kr. Mishra For the 1st Party Management

Shri Gadadhar Kar The Workman—Himself.

AWARD

The Government of India in the Ministry of Labour, in exercise of the powers conferred by Clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the

Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication *vide* their Order No. L-29012/1/93-IR(Misc.), dated 14-10-1993/17-10-1993 :—

“Whether the action of the management of Baula Chromite Mines of FACOR Ltd. in dismissing Shri Gadadhar Kar, H.V. Driver from service w.e.f. 31-12-1991 is justified? If not, to what relief the workman is entitled to?”

2. On the basis of domestic enquiry the workman was dismissed on charges of subversive activities. The Management also took into consideration the fact of the workman getting into service on the basis of a forged driving license so as to justify his order of dismissal.

3. In his claim statement the workman alleged that the domestic enquiry was not properly conducted in as much as adequate opportunity was not provided to him to defend himself and that a second show cause notice was also not issued to him before the order of dismissal was passed.

4. Denying all the allegations the Management took the stand that the domestic enquiry was conducted with all fairness after providing sufficient opportunities to the workman. Considering the gravity of the charges of subversive activities of breaking the main diesel flexible pipe of a Dumper and other past misconduct of the workman the Management was compelled to dismiss the workman from service as per its standing order.

5. On the basis of the pleadings of both the parties the following issues were framed.

ISSUES

1. Whether the General Secretary of North Orissa Workers' Union is eligible to represent the second party and has he got the *locus standi*?

2. Whether the domestic enquiry against the second party-workman was conducted validly and properly and in consonance with the principles of natural justice?

3. Whether the action of the Management in dismissing Shri Gadadhar Kar, H.V. Driver from service with effect from 31-12-1990 is justified?

4. To what relief, if any, the second party-workman is entitled?

6. With the progress of the case both the Management and the workman came closure when the Management witness was to be cross examined and accordingly they filed a joint petition on 20-10-2005 to wind up the case on the basis of the settlement arrived at between them. They also filed a copy of their settlement in Form-H. While recording the compromise the workman agreed to have settled the dispute outside the Court after

receiving Rs. 40,000/- in full satisfaction of his claim as detailed in the Memorandum of Settlement. In view of the above, no dispute award is passed hereby as the dispute between the parties has already been resolved outside the Court.

Dictated & corrected by me.

N. K. R. MOHAPATRA, Presiding Officer

शुद्धि पत्र

नई दिल्ली, 10 नवम्बर, 2005

का. आ. 4557.—इस मंत्रालय की समसंख्यक अधिसूचना दिनांक 22-2-05 में पंचाट की संदर्भ संख्या '197/2000' के स्थान पर '197/2001' पढ़ी जाए।

उक्त अधिसूचना के साथ संलग्न पंचाट के प्रथम पृष्ठ पर पंचाट की तारीख '24 जनवरी, 2004' के स्थान पर '24 जनवरी, 2005' पढ़ी जाए।

[सं. एल-20012/159/2001-आई आर (सी-1)]

एस. एस. गुप्ता, अवर सचिव

CORRIGENDUM

New Delhi, the 10th November, 2005

S.O. 4557.—In the Ministry's Notification of even number dt. 22-2-05 the reference No. of the Award may be read as '197/2001' in place of '197/2000'.

In the first page of the Award annexed to the said notification date of the Award may be read as '24th January, 2005' in place of '24 th January, 2004'.

[No. L-20012/159/2001-IR (C-1)]

S.S. GUPTA, Under Secy.

शुद्धि पत्र

नई दिल्ली, 10 नवम्बर, 2005

का. आ. 4558.—इस मंत्रालय की समसंख्यक अधिसूचना दिनांक 9-12-2004 के संलग्न पंचाट दिनांक 22-11-04 के प्रवर्ती भाग, पंक्ति 16, पृष्ठ 6 पर 'is' एवं 'justified' शब्दों के बीच 'Not' शब्द जोड़ दिया जाए।

[सं. एल-20012/282/97-आई आर (सी-1)]

एस. एस. गुप्ता, अवर सचिव

CORRIGENDUM

New Delhi, the 10th November, 2005

S.O. 4558.—In line No.16 of page 6 of the operative portion of the Award dated 22-11-2004, annexed to this Ministry's Notification of even No. dt. 9-12-2004 in

between the words 'Is' and 'Justified' the word 'Not' may be inserted.

[No. L-20012/282/97-IR (C-1)]

S. S. GUPTA, Under Secy.

नई दिल्ली, 11 नवम्बर, 2005

का. आ. 4559.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार केनरा बैंक के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-1, चंडीगढ़ के पंचाट (संदर्भ संख्या 27/94) को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-11-2005 को प्राप्त हुआ था।

[सं. एल-12012/274/1993-आई आर (बी. II)]

सी. गंगाधरण, अवर सचिव

New Delhi, the 11th November, 2005

S.O. 4559.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 27/94) of the Central Govt. Indus. Tribunal-cum-Labour Court, No-1, Chandigarh as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Canara Bank, and their workman, which was received by the Central Government on 11-11-2005.

[No. L-12012/274/1993 -IR (B-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I CHANDIGARH

CASE NO. LD. 27/1994

Sh. Suresh Kumar S/o Shri Purshotam Dass,
Bagh Kothi, Gali No. 21, Lahor Bazar,
P.O. & Distt. Bhiwani
(Haryana)

—Applicant

Versus

The Deputy General Manager,
Canara Bank, D.A. Cell, S.C.O. 80-84,
Sector 34-A Chandigarh 160022.

—Respondent

APPEARANCES:

For the workman ...None

For the management: Shri Ashok Jagga

AWARD

Passed on 27-10-2005

Central Government *vide* No. L. 12012/274/93-IR(B-II) dated 7th of March 1994 has referred the following dispute to this Tribunal for adjudication :—

"Whether the action of the management of Canara Bank, Bhiwani in terminating the services of Shri Suresh Kumar, Water Boy/ Coolie with effect from 1-9-1989 is justified? If not, what relief is the workman entitled to?"

2. Counsel for the management submitted that workman is not interested in this case as appears to be fairly employed some where, he submitted that none appeared for the workman on 28-2-05, 5-05-05 and 13-6-05. Only counsel appeared on 5-8-05 for workman evidence. On 1-9-05 workman advocate only appeared but workman did not appear for evidence. Again the case was adjourned for workman evidence. Today again none appeared for workman till 2.25 PM and it appears that workman is not interested as gainfully employed some where. Learned counsel submitted that reference may be returned. In view of the above submission and that workman is not taking any interest nor his advocate is appearing and workman is not appearing for his evidence, the present reference is returned for want of prosecution to the Central Govt. Central Govt: be informed. File be consigned to record.

Chandigarh

27-10-2005

RAJESH KUMAR, Presiding Officer

नई दिल्ली, 11 नवम्बर, 2005

का. आ. 4560.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेंट्रल बैंक ऑफ इंडिया के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-1, चंडीगढ़ के पंचाट (संदर्भ संख्या 233/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-11-2005 को प्राप्त हुआ था।

[सं. एल-12012/308/99-आई आर (बी-II)]

सी. गंगाधरण, अवर सचिव

New Delhi, the 11th November, 2005

S.O. 4560 .—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 233/2000) of the Cent. Govt. Indus. Tribunal-cum-Labour Court No. 1, Chandigarh as shown in the Annexure, in the Industrial Dispute between the management of Central Bank of India, and their workman, received by the Central Government on 11-11-2005.

[No. L-12012/308/99 -IR (B-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE

**CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT-I
CHANDIGARH.**

CASE No. I.D. 233/2000

Sh. Sanjiv Kumar C/o B.R. Parbhakar,
63-C, Kailash Nagar, Model Town,
Ambala City (Haryana)Applicant

Versus:

The Regional Manager,
Central Bank of India,
Metro Motor Building,
Ambala (Haryana)Respondent

APPEARANCES :

For the workman: None.
For the management: None.

AWARD

Passed on 20-10-2005

Central Government vide No.L. 12012/308/99-IR(B-II) dated 25th May 2000 has referred the following dispute to this Tribunal for adjudication :—

"Whether the action of the Branch Manager, Central Bank of India, Ladwa Branch (Haryana) and Regional Manager, Central Bank of India, Ambala Cantt. in terminating the services of Shri Sanjiv Kumar, S/o Sh. Som Prakash with effect from 13-7-1998 is just and legal? If not, what relief the workman is entitled?"

2. Earlier workman appeared on court notice on 3-5-05, thereafter he was directed to engage his authorised representative to appear on 14-7-05. None appeared on that date and Court notice was issued today. Again workman did not appear upto 2.30 PM. It appears that workman is not interested in prosecuting this reference. In view of the above, the present reference is returned to the Central Government for want of prosecution. Central Government be informed. File be consigned to record.

Chandigarh
20-10-2005

RAJESH KUMAR, Presiding Officer

नई दिल्ली, 11 नवम्बर, 2005

का.आ. 4561.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार अमेरिकन एक्सप्रेस बैंक लि० के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, सं०-II, नई दिल्ली के पंचाट

(संदर्भ संख्या आई डी-176/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-11-2005 को प्राप्त हुआ था।

[सं. एल-12012/18/2004-आईआर(बी-I)]
अजय कुमार, डैस्क अधिकारी

New Delhi, the 11th November, 2005

S.O. 4561.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (I.D. No. 176/2004) of the Central Government Industrial Tribunal-cum-Labour Court-II, New Delhi now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of American Express Bank Limited and their workman, which was received by the Central Government on 10-11-2005.

[No. L-12012/18/2004-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

**BEFORE THE PRESIDING OFFICER: CENTRAL
GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT-II, RAJENDRA BHAWAN,
GROUND FLOOR, RAJENDRA PLACE
NEW DELHI**

I.D. No. 176/2004

PRESIDING OFFICER: R. N. RAI.

IN THE MATTER OF :

Shri Bijender Singh, S/o. Shri Daulat Singh,
C/o. Janvadi General Kamgar Mazdoor Union,
E-26, Raja Bazar (Old Qtrs.) Baba Kharag Singh Marg,
New Delhi-110001.

Versus
The Chief Manager,
American Express Bank Limited,
Enkay Centre, A.A-1 and A-2,
Udyog Vihar, Phase-V,
Gurgaon-122 106
Haryana.

AWARD

The Ministry of Labour by its letter No. L-12012/18/2004 IR (B-I) Central Government Dt. 30-11-2004 has referred the following point for adjudication.

The point runs as hereunder :—

"Whether the action of the management of American Express Bank Limited, Gurgaon in terminating the services of Shri Bijender Singh, S/o. Shri Daulat Singh w.e.f. 11-12-2003 without any notice/notice pay/retrenchment compensation etc. is just and legal? If not, to what relief the workman is entitled to."

It transpires from perusal of the order sheet that notice to the workman was sent on 23-12-2004 directing him to appear on 01-03-2005 but the workman applicant has not turned up. The management has been present all along. The workman applicant has not filed claim statement despite service of notice.

No dispute award is given.

Date : 08-11-2005 R. N. RAI, Presiding Officer
नई दिल्ली, 11 नवम्बर, 2005

का.आ. 4562— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक ऑफ इंडिया के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, चेन्नई के पंचाट (संदर्भ संख्या 6/2000) को प्रकृतिशत करती है, जो केन्द्रीय सरकार को 11-11-2005 को प्राप्त हआ था।

[सं. एल-12011/202/99-आई आर(बी-II)]

New Delhi, the 11th November, 2005

S.O. 4562—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (I4 of 1947), the Central Government hereby publishes the Award (Ref. 6/2000) of the Central Government Industrial Tribunal-cum-Labour Court, Chennai as shown in the Annexure in the Industrial Dispute between the management of Bank of India and their workmen, received by the Central Government on 11-11-2005.

[No. L-12011/202/99-IR (B-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
CHENNAI**

Friday, the 23rd September, 2005

PRESENT:

K. JAYARAMAN, Presiding Officer

Complaint No. 1/2004 in L.D. No. 6/2000

BETWEEN

Sri P.R. Sampath Giri Vasan : Complainant

AND

The Zonal Manager, : Respondent
Bank of India, Chennai.

Appearance:

For the Complainant : M/s. S. Vaidyanathan & M. Rajendran, Advocates
For the Respondent : M/s. S. Ramasubramaniam & Associates, Advocates

AWARD

The Petitioner/Complainant in his petition alleged that when the Industrial Dispute No. 6/2000 was pending before this Tribunal in so far as non-regularisation of the complainant and the non-employment of five other workmen, the Respondent/Bank terminated the services of the Petitioner/complainant on 16-9-2000 after the receipt of Claim Statement in I.D. No. 6/2000. The Government of India, Ministry of Labour by an order dated 25-5-2000 has referred a dispute namely "whether the action of the Bank of India is justified in not regularising and instead terminating the services of Sri R. Venkatesan, Sri G. Mohan, Sri K. Sampathkumar, Sri P.R. Sampath Giri Vasan, Sri R. Ravikumar and Sri L. Shankar, Casual Labourers? If not, to what relief the workmen are entitled to?" When the dispute relating to regularisation of matter was pending before the conciliation officer, the management terminated the services of the Casual employees and the complainant was continued in service. The complainant was terminated on 16-9-2000 when the I.D. No. 6/2000 was pending before this Tribunal, which action of the employer falls squarely under clause 5(a) and (b) and 10 of V Schedule of the I.D. Act. The Respondent/Bank has discharged the workmen by way of victimisation not in good faith but in colourable exercise of employer's rights. The action of the management in discharging the service of workmen amounts to termination. The bank has admittedly not complied with the provisions of Section 25F of the I.D. Act. Hence the termination is ab initio void. Further, after discharging the casuals, the management has recruited new casuals in their place which is in utter violation of Section 25G & H of I.D. Act. When the matter for regularisation of casual labour was pending, the management, has terminated the services of casual labourers, which is clear violation of Section 33 of the I.D. Act. Therefore, the bank ought to have taken prior permission from this Tribunal before terminating the services of the complainant which is mandatory as per Section 33 of the I.D. Act. Since this was not complied with, this complaint is maintainable. Hence, the complainant prays that the action of the bank in terminating the services of complainant w.e.f. 16-9-2000 is illegal and consequently direct the Respondent/Bank to reinstate the complainant as a permanent workman with effect from the date of completion of 480 days of continuous service in a period of 24 calendar months with back wages, attendance benefits and other consequential benefits.

2. Since the industrial dispute was raised by the Union and since the Union has withdrawn the industrial dispute, the complaint made by the Petitioner was not entertained and upon the matter was taken up by the High

Court, the High Court has directed this Tribunal to decide the complaint expeditiously after giving opportunity to both parties. The complaint was taken on file has Complaint No. 1/2004.

3. The Respondent in its Counter Statement alleged that this complaint under section 33 of the I.D. Act is not maintainable. No doubt, the Ministry of Labour, Government of India by an order dated 25-5-2000 has made a reference to this Tribunal for adjudicating the issue 'whether the action of the Bank of India is justified in not regularising and instead terminating the services of six casuals including complainant'. The said dispute was pending as I.D. No. 6/2000 which was subsequently withdrawn. The above reference itself proceeds on the basis of alleged termination of the service of Complainant and five other casuals. That being so, the question of terminating the service of the complainant once again on 16-9-2000 does not arise at all. Admittedly, the complainant was engaged as casual and the Respondent utilised the services of complainant and other casual workmen whenever required depending upon the exigencies and their services come to an end at the close of the work on each day. Hence, the question of violation of Section 33 does not arise. Automatic termination of service of the complainant is outside the scope of Section 33 of the I. D. Act. Casuals are under no obligation to report for work every day nor is there any obligation or compulsion for the Respondent/Bank to give work to those persons every day. Since the Respondent/Bank being a public sector bank as per recruitment rules, the vacancies ought to be notified to the Employment Exchange for sponsoring the candidates and thereafter selection is made from amongst the eligible candidates by selection committee and finally appointed against vacant posts by the competent authority. The Petitioner has raised this dispute only with an intention to bypass the above rules and to make a back door entry in public employment. The Petitioner was not taken against the regular vacancy of sub-staff. Instead some of the branches had engaged him for doing availability of certain casual work purely on need basis. The Petitioner was not engaged as casual on continuous basis over a period of many years as claimed by him. It is denied that complainant was terminated from service during the pendency of I.D. No. 6/2000 before this Tribunal. The Tamil Nadu Industrial Establishment (Conferment of Permanent Status to Workmen) Act, 1981 absolutely has no relevance to this case. Further the said Act will have no application to the Respondent/Bank or its branches. The Petitioner was intermittently engaged for casual nature of job on daily rate basis arising out of exigencies and as such there was no need for the Respondent to engage the individual in the various branches continuously as alleged. The Respondent denies that the Respondent/Bank terminated the services of the complainant w.e.f. 16-9-2000. It also denies the allegation that he has completed 480 days of

continuous service in a period of 24 calendar months. Hence, for all these reasons, the Respondent prays that this petition may be dismissed with costs.

4. Again, the Petitioner in his reply statement alleged that he was working 10 hours in a day and he was also asked to discharge the clerical work. Further, he was working as Casual Labour in subordinate cadre at various branches in Chennai city and around since May, 1992 till 16-9-2000 and he worked continuously without any break and if there was any break, it was not due to the fault of the complainant. The complainant used to maintain profit and loss account, miscellaneous vouchers for himself and for Mr. J. Viswanathan and these documents are in the custody of the Respondent/Management and if they are produced, it will establish the complainant's case. The complainant had done reconciliation work at Sowcarpet branch and RECI copies are available in the branch, zonal office and Head Office reconciliation department, New Mumbai and the documents namely (1) despatch register, (2) inward cheque return register (3) outward bill for collection/special collection schedule booking and realisation (4) branch daily statement (5) daily vouchers including P & L and Head Office vouchers (6) reconciliation and (7) inward/outward remittance register are in the custody of Sowcarpet branch of the Respondent/Bank and if they produce the same, it will amply prove that he was in employment when the Industrial Dispute No. 6/2000 was pending before this Tribunal. Further, the crucial date for deciding the case whether the complaint is maintainable or not is the date of cause of action namely the date of termination. As per Section 17 and 17A of the Industrial Disputes Act, the award has not come into force when the complaint was filed. Admittedly the industrial dispute was pending on the date of denial of employment. Hence, this complaint is maintainable before this forum. Hence, he prays an order may be passed in his favour.

5. In these circumstances, the points for my determination are—

- (i) "Whether the order of discharge or dismissal passed by the employer namely the Respondent is in contravention of Section 33 of the I.D. Act?"
- (ii) "Whether the order of discharge alleged to have been made on 16-9-2000 passed by the Respondent/Management is justified on merits?"
- (iii) "To what relief, the complainant is entitled?"

Point Nos. 1 & 2 :—

6. The case of the Petitioner in this case is that he has joined the services of the Respondent/Management on 4-5-1992 and he was illegally terminated with effect from 16-9-2000 without complying the provisions of Section 25G, 25H and 33 of I.D. Act read with Industrial Dispute (Central) Rules. He further alleged that he was working as casual

labour in subordinate cadre at various branches of the Respondent/Bank in Chennai city and around since May, 1992 till 16-9-2000. While so, when the dispute relating to regularization was pending before the Tribunal, the Respondent/Management has terminated his service w.e.f. 16-9-2000 and therefore, it is illegal and prays for reinstatement as a permanent/regular employee of the Respondent/Management with consequential relief.

7. But, as against this, the Respondent/Management contended that complainant namely the Petitioner was engaged as casual and on account of the nature of work involved, the Respondent utilised the services of the complainant and other casual workmen whenever required depending upon the exigencies and the services of the casual workmen such as the complainant comes to an end at the close of work on each day and therefore, there is no change in conditions of service or of termination or discharge or dismissal for any misconduct. Hence the question of violation of Section 33 of I.D. Act does not arise. Further, it was contended on behalf of the Respondent that automatic termination of service of the complainant by efflux of time is outside the scope of Section 33 of I.D. Act. It is their further contention that in any event, the Petitioner has not been appointed by the Respondent from the year 1992 till 16-9-2000 continuously and therefore, he cannot claim the benefits of I.D. Act nor question the disengagement by the Respondent.

8. Before looking into the merits of the case, we have to look in to Section 33A which is the provision for adjudication as to whether the condition of service etc. changed during the pendency of the proceedings. This Section says 'where an employer contravenes the provisions of Section 33 during the pendency of proceedings before a Conciliation Officer/Board/an Arbitrator/Labour Court, Tribunal or National Tribunal, any employee aggrieved by such contravention may make a complaint in writing in the prescribed manner—to such conciliation officer or Board and the conciliation officer or board shall take such complaint into account in mediating in and promotion the settlement of such industrial dispute; and (b) to such Arbitrator, Labour Court, Tribunal or National Tribunal and on receipt of such complaint, the Arbitrator, Labour Court, Tribunal or National Tribunal as the case may be shall adjudicate upon the complaint, as if it were a dispute referred to or pending before it, in accordance with the provisions of this Act. Therefore, in order to avail himself of the right of direct adjudication conferred by Section 33A in making a complaint the workman concerned should answer the following requirements—

- (i) he should be a workman within the definition of workman under Section 2(s) of the Act;
- (ii) he should be a workman concerned in the pending dispute; and

(iii) he should be aggrieved by the alleged contravention of Section 33 by the employer.

Even assuming that there is a dismissal or discharge by the employer, the discharge simpliciter which is not connected with the pending dispute would not contravene the provisions of Section 33 of the Act. If, however, such discharge is punitive or malafide, it would no doubt constitute a contravention of this Section. Therefore, the adjudicator has to decide (i) the fact of contravention and (ii) the merits of the act or order of the employer. In other words the jurisdiction of the authority is not only to decide whether there has been a failure on the part of the employer to obtain the permission of the authority before taking action but also to go into the merits of the complaint and grant appropriate relief. Therefore, the first issue to be decided in this complaint is 'Whether the order of discharge or dismissal or direction made by the Respondent/employer is in contravention of Section 33' and the next question is "Whether the order of discharge or dismissal passed by the employer is justified on merits?" Lastly, this Tribunal has to consider all aspects of the case and ultimately has to come to a conclusion what order would meet the ends of justice in the circumstances of the case. But, at the same time, a mere contravention of Section 33 by the Respondent employer will not entitle the workman to an order of reinstatement, because an enquiry under Section 33A is not confined only to the determination of the question as to whether the employer has contravened Section 33 but even if such contravention is proved, the Tribunal has to deal with the merits of the order of discharge or dismissal or termination. At the same time, it is clear that the fact of contravention of Section 33 does not make the orders of discharge or dismissal void or inoperative entitling the workman straightaway to a reinstatement. With this background, we shall look into the case further.

9. In this case, the Petitioner examined himself as WW1 and produced 31 documents namely Ex. W1 to W31. As against this, on the side of the Respondent/Management one Mr. G. Anbarasan, Senior Manager (HR) of the Respondent/Management was examined as MW1 and on their side Ex. M1 to M8 were marked. The Petitioner in his evidence alleged as mentioned in his complaint and he further alleged that he was working as casual labour in subordinate cadre in various branches namely at Sowcarpet branch from May, 1992 to February, 1993, at Kodambakkam branch from Feb. 1993 to August, 1993, at Usman Road branch, Sowcarpet branch, Kodambakkam branch and Mount Road branch between August, 1993 and April, 1994 and at Chennai Industrial Finance branch during May, 1994, at Usman Road branch on 31-5-94, at Cathedral Road branch from June, 1994 to June, 1995 and lastly from July, 1997 till 16-9-2000, he worked at Sowcarpet branch. Thus, he worked continuously without any break and even if there was any break, it was not due to any fault of him. He had written despatch register, inward registered post register on daily

basis at Cathedral Road branch and he was asked to write the cash book, general ledger, general ledger balance book and P & L analysis book when he was working at Sowcarpet branch and he had also attended several works. Since the Respondent/Bank has not regularised the services and the services of other six members, he has raised a dispute before the labour authorities and while the matter was pending, the Bank of India Staff Union withdrew the dispute No. 6/2000 on 11-10-2000. While the matter was pending before the Tribunal, he was discharged on 16-9-2000 which is illegal and without obtaining any permission, the Respondent/Bank terminated his service, hence the termination is ab initio, void.

10. But, as against this, the Respondent contended that the Respondent has not violated any provisions of Section 33 of the I.D. Act. No doubt, I.D. No. 6/2000 was pending and in the said dispute, the reference was "Whether the action of the Respondent/Bank is justified in not regularising and instead terminating the services of six casual labourers including complainant ?" The said dispute was subsequently withdrawn by the Petitioner union in that case. The said reference itself proceeds on the basis of alleged termination of the complainant and five other casuals. That being the case, the question of terminating the services of the complainant once again on 16-9-2000 does not arise at all. Then secondly, it is contended on behalf of the Respondent that admittedly the complainant was engaged as a casual and the services of the casual comes to an end at the close of the work on each day and therefore, it cannot be said that there is a change in condition of service or of termination or discharge or dismissal for any misconduct, hence the question of violation of Section 33 of the Act does not arise at all. Further, the automatic termination of service of the complainant by efflux of time is outside the scope of Section 33 of the I.D. Act. Anyhow, being a public sector bank, as per the recruitment rules, the vacancies ought to be notified to the Employment Exchange for sponsoring the candidates and thereafter selection is made from amongst the eligible candidates by selection committee and finally the sub-staff or temporary man is appointed against the vacant post by the competent authority. While so, the Petitioner has raised this dispute only with an intention to bye-pass the above recruitment rules and to make a back door entry in the public employment. Even assuming that the Petitioner has worked on exigency, the Petitioner was not taken against the regular vacancy of sub-staff. Instead some of the branches had engaged him for doing availability of certain casual work purely on need basis. He was never engaged as casual on contingent basis over a period of many years as claimed by the Petitioner. Further, in this case, the Petitioner has not produced any document to show that he has completed more than 240 days in a continuous period of 12 calendar months. It is only true that the Petitioner was engaged intermittently as

casual on daily rated basis arising out of exigency and as such there was no need for Respondent to engage individual in various branches continuously as alleged. The Petitioner's allegation are vague and without any proof. Further, the Respondent has not maintained records whenever coolies or casual labourers are engaged and the records/vouchers are preserved as per the Banking Companies (period of preservation of records) Rules, 1985 for specific period only. Beyond this stipulated period, the Respondent/Management is not required to preserve records/vouchers. Under such circumstances, it cannot be said that the Respondent has to produce the required documents alleged by the Petitioner. The allegation that he has completed 480 days in a period of 24 calendar month is false and the burden is upon the Petitioner to establish this contention and therefore, the Respondents claims that the complaint is without any substance. Learned counsel for the Respondent further relied on the rulings reported in 1972 I SCC 814 AIR INDIA CORPORATION Vs. V.A. REBELLOW AND ANOTHER wherein the Supreme Court while dealing with Section 33 (1)(2) and (3) and 33A has stated that "the bank however, is designed to restrict interference with the general rights and liabilities of the parties under the ordinary law within the limits truly necessary for accomplishing the above object. The employer is accordingly left free to deal with the employees when the action concerned is not punitive or malafide or does not amount to victimization or unfair labour practice....." It is noteworthy that the ban is imposed only in regard to action taken for misconduct whether connected or unconnected with the dispute. The employer is therefore, free to take action against his workmen if it is not based on any misconduct on their part." Relying on this decision, learned counsel for the Respondent contended that the disengagement of the Petitioner is not for any misconduct and therefore it amounts to only discharge simpliciter and therefore, the Respondent cannot be blamed that they have contravened the provisions of Section 33 of the I.D. Act. Again, learned counsel for the Respondent relied on the rulings reported in 1976 II LLJ 259 MAHENDRA SINGH DANTWAL Vs. HINDUSTAN MOTORS LTD. AND OTHERS wherein the Supreme Court has held that "from the provisions of Section 33 it is manifest that punitive action of employer in whatever form it may be passed is permissible against an ordinary workman as distinguished from a protected workman even during the pendency of proceedings before the Tribunal provided that the employer pays one month's wages and also applies to the concerned Tribunal for approval of his action..... We have no doubt in our mind that Section 33(2)(b) makes it obligatory upon the employer to make an application to the Tribunal under the proviso only when he discharges or dismisses a workman for misconduct." Learned counsel for the Respondent argued that in this case, the Petitioner was not discharged or dismissed for misconduct and on the efflux of time he has been disengaged and therefore, it

cannot be said that the Respondent has contravened the provisions of Section 33 of the I.D. Act and as such this complaint is not maintainable.

11. But, again the learned counsel for the Petitioner contended that in a case reported in 2002 1 LLN 639 JAIPUR ZILA SAHAKARI BHOOOMI VIKAS BANK LTD. VS. RAM GOPAL SHARMA AND OTHERS wherein the Full Bench of the Supreme Court has clearly stated that "*not making an application under section 33(2)(b) seeking approval or withdrawing an application once made before any order is made thereon, is a clear case of contravention of the provision to Section 33(2)(b). The interpretation of statute must be such that it should advance the legislative intent and serve the purpose for which it is made rather than to frustrate it. The proviso to Section 33(2)(b) affords protection to a workman to safeguard his interest and it is a shield against victimization and unfair labour practice by the employer during the pendency of industrial dispute when the relationship between them is already strained. An employer cannot be permitted to use the provision of section 33(2)(b) to ease out a workman without complying with the conditions contained in the said proviso for any alleged misconduct said to be unconnected with the already pending industrial dispute.*" It further held that "*even the approval is not given nothing more is required to be done by the employee, as it will have to be deemed that order of dismissal had never been passed, consequence of it is that the employee is entitled to the benefits available.*" He further relied on the rulings reported in 2003 3 LLN 355 MANAGEMENT OF SRI GANAPATHY MILLS CO. LTD. Vs. PRESIDING OFFICER, SPECIAL INDUSTRIAL TRIBUNAL, MADRAS wherein the High Court of Madras, relying on the rulings reported in Jaipur Zila Sahakari Bank's case has held that "*none-compliance of the condition contained in the proviso to Section 33(2)(b) which is mandatory in nature would render the order of dismissal void and the effect of that shall be that the order of dismissal had never been passed and the employee would be deemed to have continued in service and entitled to all benefits available to him.*" Again, the learned counsel for the Petitioner relied on the rulings reported in 2004 1 LLJ 294 RAMANUJAM C. Vs. PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, MADRAS wherein the Madras High Court has held that "*if an application under Section 33(2)(b) be not approved or withdrawn there is no valid dismissal or discharge of workman and the workman will not be driven to make complaint under Section 33A and order of denial of back wages to workman in complaint under Section 33A is held as not proper.*" Learned counsel for the Petitioner further argued that since Class IV employees need not be recruited through Employment Exchange, the allegation that Class IV employees are to be sponsored through Employment Exchange is not valid in law. Further, the Supreme Court and also the High Court of Madras has

held in several decisions that class IV employees need not come through Employment Exchange. Since the dispute is pending before this Tribunal to regularize the services of the Petitioner and others, the action of the Respondent/Management in discharging or terminating the services of the Petitioner amounts to unfair labour practice and this action of the Respondent/Management is by way of victimization and not in good faith but in colourable exercise of employee's right. Further, discharging the services of the Petitioner amounts to termination and the Respondent/Bank has admittedly not complied with the provisions of section 25F of the Act, hence, the termination is ab initio void. Even though the Petitioner has not produced any document to substantiate his contention that he has worked for more than 240 days, all the documents pertaining to the Petitioner are with the Respondent/Bank and further, the circulars issued by the Respondent/Bank under Ex. W1, to the effect that casual employees should not be engaged for more than sixty days and salary paid to the casual employee should be reimbursed to Manager and no signature of the casual employee should be obtained in any register or voucher, clearly proves the unfair labour practice adopted by the Respondent/Management. It was made only to prevent any document to be produced before the Court and also to prove the case of the Petitioner. But, the Petitioner has produced Ex. W24 namely a circular regarding preservation of old records, which clearly says that the bank has to maintain some of the records for ten years. The previous I.D. No. 6/2000 was originally raised in the year 1994 and now as the dispute is pending, the Respondent is bound to retain the records and to produce the same before the Court and they should not contend that they are not having the records of ten years old. If such contention is raised, it is to be presumed that if they produce the documents, it will affect their right and they must have been adverse to them and therefore, this Tribunal has to draw necessary adverse inference against the Respondent/ Bank. Anyhow, the Complainant/Petitioner has done reconciliation work at Sowcarpet branch and copied of RECI are available in Zonal/Head Office reconciliation department. Similarly, the Petitioner/Complainant was asked to go to various offices/places on duty services and he claimed travelling expenses, which was directly paid to him by the branches. The said travelling expenses details reflect in the Profit & Loss vouchers and Profit & Loss Analysis book and the Petitioner/Complainant has signed in the back side of the P & L vouchers. Further, the dispatch register, inward/cheque return register, outward bills for collection/special collection schedule booking and realization, branch daily statement, daily vouchers including P & L & Head Office vouchers, reconciliation, inward/outward remittance register are available with the Sowcarpet branch for the period July, 1997 to 16-9-2000 and it will amply prove the Petitioner/complainant's case and it is also clearly established that when the dispute of 6/2000 was pending before this Tribunal, he has been terminated from service.

It is further contended on behalf of the Petitioner that even MW1 who was examined in I.D. No. 751/2001 has clearly admitted that from the records of the Respondent/Bank, it is clear that the Petitioner was disengaged on 16-9-2000 and therefore, it is clear that the Respondent who has got all the documents pertaining to the Petitioner has kept these documents with *malafide* intention that the Petitioner should not get the benefits under legal legislation. In this case, on 25-5-2000 the issue relating to non-regularisation of complainant's service was referred to for adjudication along with non-employment issue of five other workmen in I.D. No. 6/2000. On 16-9-2000 the Petitioner was denied employment. Even on 7-10-2000 the complainant under Section 33A was filed before the Tribunal but it was not taken of file and on 11-10-2000 the complaint was filed before the Court in person and only on that date I.D. No. 6/2000 was withdrawn. Any how, notification with regard to publication of award was received only on 23-10-2000 under section 17 and 17A of the I.D. Act and the Award has not come into force, when the complaint was filed. Therefore, admittedly, the industrial dispute was pending on the date of denial of employment to the Petitioner i.e. on 16-9-2000 and therefore, this complaint is maintainable as there is violation of provisions of Section 33 of the I.D. Act and therefore, the Petitioner is entitled to the relief claimed by him. He further argued that since the Petitioner is a concerned workman in I.D. No. 6/2000 and since the dispute was pending on the date of divesting of duties of the Petitioner, the Respondent Bank ought to have taken permission as contemplated under section 33 of the I.D. Act. Further, the services of sub-staff and award staff are covered by the Bipartite Settlement as modified from time to time and the Government of India or Reserve Bank of India's guidelines cannot take away the rights conferred under labour legislations. He further contended that even under Banking Regulation Act, it is stated that provisions of this act shall be in addition to and not in derogation of any other law for time being in force. Under such circumstances, it cannot be said that the bank has got separate recruitment rules and only through Employment Exchange the sub-staff has to be recruited. In this case from the circumstances the Petitioner has established that he has worked from 1992 to 16-9-2000 continuously and therefore, he is entitled to the benefits of the Act and also conferment of permanent status under the Act.

12. But, again on behalf of the respondent, it is contended that mere allegations made in the complaint or in Proof of Affidavit cannot be taken as a proof of his contention that he has completed more than 240 days in a continuous period of 12 calendar months. It is well established by decisions of Supreme Court and also High Courts that burden of proving that he has completed more than 240 days is upon the Petitioner, who alleged the same and in this case, though he alleged the he has completed

240 days in a continuous period of 12 calendar months and 480 days in a period of 24 calendar months, the Petitioner has not produced any valid document to substantiate his contention. Under such circumstances, it cannot be said that he is entitled to the benefits of I.D. Act and there is a contravention of provisions of Section 25F of the I.D. Act.

13. I find much force in the contention of the learned counsel for the Respondent because even though it is established that while the dispute with regard to regularization was pending before this Tribunal, the Complainant/Petitioner has been discharged from service, it is not established by the Petitioner that he has worked for more than 240 days in a continuous period of 12 calendar months. Further, even though the Petitioner has contended that adverse inference is to be drawn in the circumstances of the case, when the Respondent has not produced any document, I find the Petitioner has not taken any steps to summon the documents alleged to have been with the Respondent/Management. Under such circumstances, this Tribunal cannot take any adverse inference in these circumstances with regard to employment of the Petitioner for more than 240 days. Further, it is well established that the fact of contravention of Section 33 alone does not make the order of dismissal or discharge as void or inoperative entitling the workman straightforwardly to reinstatement. Further, it is held in several decisions that Tribunal would have to consider all aspects of the case and ultimately decide what order would meet the ends of justice in the light of the circumstances of the case. Though I find that the Petitioner has not established the fact that he has worked for more than 240 days in a continuous period of 12 calendar months, it is clear that the Respondent has not given any notice of termination. Under such circumstances, I find some compensation must be given to the Petitioner. Under such circumstances, I find a compensation of Rs. 5000 would meet the ends of justice in this case.

Point No. 3 :—

The next point to be decided in this case is to what relief the Petitioner/complainant is entitled?

14. In view of my foregoing findings that the complainant is not entitled to reinstatement in service, I find a compensation of Rs. 5,000 (Rupees Five thousand only) by the Respondent/Management to the complainant will meet the ends of justice. Ordered accordingly. No Costs.

K. JAYARAMAN, Presiding Officer

Witnesses Examined:—

For the Complainant :	WWI Sri P.R. Sampath Girivasan
For the Respondent :	Sri G.Anbarasan

Documents Marked:—**For the I Party:—**

Ex. No.	Date	Description	W24	1999	Labour (Central).
W1	30-11-94	Xerox copy of the dispute raised by employees before Labour authorities.	W25	30-10-99	Xerox copy of the circular regarding preservation of records.
W2	24-07-95	Xerox copy of the minutes of meeting of ALC.	W26	07-09-00	Xerox copy of the reconciliation report.
W3	18-07-96	Xerox copy of the minutes of meeting of ALC.	W27	15-09-00	Xerox copy of the branch daily statement.
W4	12-03-99	Xerox copy of the circular of Bank of India staff union.	W28	16-09-00	Xerox copy of the branch daily statement.
W5	30-11-99	Xerox copy of the minutes of meeting of ALS.	W29	16-09-00	Xerox copy of the advise of drawing.
W6	10-12-99	Xerox copy of the failure report of conciliation.	W30	16-09-00	Xerox copy of the advise of drawing.
W7	26-6-00	Xerox copy of the notice of the Court.	W31	07-10-00	Xerox copy of the postal acknowledgment.
W8	01-08-00	Xerox copy of the Claim Statement filed by union.			
W9	13-09-00	Xerox copy of the counter filed by Respondent.			
W10	11-10-00	Xerox copy of the award in ID 6/2000.			
W11	23-10-00	Xerox copy of the notification.			
W12	08-12-03	Xerox copy of the deposition of WW1 in ID 751/2001.			
W13	23-03-04	Xerox copy of the deposition of MW1 in ID 751/2001.			
W14	Nil	Xerox copy of the Proof of Affidavit of WW1.			
W15	Nil	Xerox copy of the Proof of Affidavit of MW1.			
W16	03-06-92	Xerox copy of the circular regarding payment of wages.			
W17	16-12-93	Xerox copy of the memorandum.			
W18	17-03-94	Xerox copy of the memorandum.			
W19	22-06-95	Xerox copy of the memo regarding engagement of budlee Sepoys.			
W20	22-06-95	Xerox copy of the memo regarding engagement of budlee Sepoys.			
W21	04-10-95	Xerox copy of the circular regarding payment of wages to Casual labour.			
W22	27-04-96	Xerox copy of the memo regarding engagement of casual/Budlee sepoys as sub-staff.			
W23	28-04-98	Xerox copy of the letter from BOI staff union to Regional Commissioner of			

For the Respondent/Management:—

Ex. No.	Date	Description
M1	31-12-80	Xerox copy of the circular of Head Office regarding Recruitment of subordinate staff.
M2	22-04-00	Xerox copy of the circular issued by Respondent Head Office.
M3	28-07-00	Xerox copy of the claim statement filed in I.D. No. 6/2000.
M4	12-09-00	Xerox copy of the Counter Statement filed in I.D. No.6/2000.
M5	02-11-00	Xerox copy of the VRS 2000 with annexure of Respondent/Bank Head Office Circular No. 94/132.
M6	03-10-01	Xerox copy of the particulars of employees opted For VRS-2000.
M7	18-02-04	Xerox copy of the letter from Respondent/Bank to Employment Officer.
M8	23-02-04	Xerox copy of the letter from District Employment Officer to Respondent/ Bank.

नई दिल्ली, 16 नवम्बर, 2005

का.आ. 4563.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.बी.एम.बी. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय-I, चण्डीगढ़ के पंचाट (संदर्भ संख्या आई डी-75/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-11-2005 को प्राप्त हुआ था।

[सं. एल-23012/15/2001-आईआर(सी-II)]
एन.पी. केशवन, डैस्क अधिकारी

New Delhi, the 16th November, 2005

S.O. 4563.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. ID 75/2002) of the Central Government Industrial Tribunal-cum-Labour Court-I, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of B.B.M.B. and their workman, which was received by the Central Government on 16-11-2005.

[No. L-23012/15/2001-IR (C-II)]
N. P. KESAVAN, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I, CHANDIGARH

Case No. I.D. 75/2002

Sh. Sarwan Singh C/o Sh. R.K. Singh Parmar, 211-L, Brari, P.O. Partap Nagar, Nangal Dam, Ropar. ...Applicant

Versus

The Chief Engineer (Power Wing) Generation, B.B.M.B. Nangal Township, Ropar. ...Respondent

APPEARANCES:

For the workman : None.
For the management : Sh. N.K. Zakhmi

AWARD

Passed on 7-11-2005

Central Govt. vide No. L-23012/15/2001 IR (CM-II) dated 30-04-2002 has referred the following dispute to this Tribunal for adjudication :

“Whether the action of the Chief Engineer (Power Wing) Generation, BBMB Nangal Township, Ropar in terminating the service of Sh. Sarwan Singh S/o Sh. Tarpal Singh w.e.f. 22-11-1998 is legal and justified? If not, to what relief the workman is entitled to?”

2. None appeared on behalf of the workman. Workman or his representative is not appearing for the last two dates earlier and on the last date also one proxy advocate appeared. The Ld. counsel for the management submitted that the reference may be returned to the Appropriate Govt. as workman is not interested in prosecuting his case and it appears that he is gainfully employed somewhere. In view of the above, as workman, it appears is not interested to pursue present reference, the same is returned for want of prosecution. Central Govt. be informed. File be consigned to record.

Chandigarh
Dated: 7-11-2005 RAJESH KUMAR, Presiding Officer

नई दिल्ली, 16 नवम्बर, 2005

का.आ. 4564.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बौ.बी.एम.बी. के प्रबंधतांत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय-I, चण्डीगढ़ के पंचाट (संदर्भ संख्या आई डी-73/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-11-2005 को प्राप्त हुआ था।

[सं. एल-23012/11/2001-आईआर(सी-II)]
एन.पी. केशवन, डैस्क अधिकारी

New Delhi, the 16th November, 2005

S.O. 4564.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. ID 73/2002) of the Central Government Industrial Tribunal-cum-Labour Court-I, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of B.B.M.B. and their workman, which was received by the Central Government on 16-11-2005.

[No. L-23012/11/2001-IR (C-II)]
N. P. KESAVAN, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I, CHANDIGARH

Case No. I.D. 73/2002

Sh. Harpreet Singh C/o Sh. R.K. Singh Parmar, 211-L, Brari, P.O. Partap Nagar, Nangal Dam, Ropar. ...Applicant

Versus

The Chief Engineer (Power Wing) Generation, B.B.M.B. Nangal Township, Ropar. ...Respondent

APPEARANCES:

For the workman : None.
For the management : Sh. N.K. Zakhmi

AWARD

Passed on 7-11-2005

Central Govt. Vide No. L-23012/11/2001 IR (CM-II) dated 30-04-2002 has referred the following dispute to this Tribunal for adjudication :

“Whether the action of the Chief Engineer (Power Wing) Generation, BBMB Nangal Township, Ropar in terminating the service of Sh. Harpreet Singh S/o Sh. Jasbir Singh w.e.f. 28-2-1999 is legal and justified? If not, to what relief the workman is entitled to?”

2. None appeared on behalf of the workman. Workman or his representative is not appearing for the last two dates earlier and on the last date also one proxy advocate appeared. The Ld. Counsel for the management submitted that the reference may be returned to the Appropriate Govt. as workman is not interested in prosecuting his case and it appears that he is gainfully employed somewhere. In view of the above, as workman, it appears is not interested to pursue present reference, the same is returned for want of prosecution. Central Govt. be informed. File be consigned to record.

Chandigarh

Dated : 7-11-05

RAJESH KUMAR, Presiding Officer

नई दिल्ली, 16 नवम्बर, 2005

का.आ. 4565.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नेशनल रिसर्च सैन्टर आन सीड स्पाइस के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जयपुर के पंचाट (संदर्भ सं. सी.जी.आई.टी.-98/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-11-2005 को प्राप्त हुआ था।

[स. एल-42012/194/2004-आईआर(सी-II)]

एन.पी. केशवन, डैस्क अधिकारी

New Delhi, the 16th November, 2005

S.O. 4565.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. C.G.I.T. 98/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Jaipur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of National Research Center on seed spices and their workman, which was received by the Central Government on 16-11-2005.

[No. L-42012/194/2004-IR(C-II)]

N. P. KESAVAN, Desk Officer

ANNEXURE**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JAIPUR**

Case No. CGIT-98/2005

Reference No. L-42012/194/2004-IR(CM-II)

Smt. Bhanwari,
W/o Shri Panchu Kunhar,
Vill. & Post : Saradhpura,
Ajmer (Raj.)

....Applicant

Versus

The Director,
National Research Centre on
Seed Spices,
Tabeeji,
Ajmer (Raj.)Non-applicant

PRESENT:

Presiding Officer	:	Sh. R.C. Sharma.
For the applicant	:	None.
For the non-applicant	:	Sh. V. S. Gurjar
Date of award	:	17-10-2005

AWARD

1. The Central Government in exercise of the powers conferred under Clause D of sub-sections 1 and 2(A) to Section 10 of the Industrial Disputes Act, 1947 (for short, 'the Act') has referred the following industrial dispute to this Tribunal for adjudication, which runs as under:-

"क्या निदेशक, राष्ट्रीय बोर्डीय मसाला अनुसंधान केन्द्र, तबीजी, अजमेर के द्वारा अपने कर्मकार श्रीमति भौमी पत्नी श्री पैंचु कुम्हार, कैजुअल लेबर को दिनांक 11-5-2003 को सेवा से बर्खास्त करना न्यायोचित एवं विधिसम्मत है? यदि नहीं तो कर्मकार अपने नियोजक से किस राहत को पाने का अधिकारी है?"

2. On 29-8-2005, the case was posted for 27-9-2005 for the service of the registered notice on both the parties. On 27-9-2005, on behalf of the non-applicant establishment Sh. V.S. Gurjar put his appearance, but despite the service of the registered notice on the workman herself, she did not put her appearance before the Court. The case was then fixed for 14-10-2005, on which date none appeared on behalf of the workman.

3. I have heard the Ld. Representative for the management and perused the record.

4. It was the responsibility of the applicant-workman to put her appearance and plead the claim referred in terms of the reference. But she has failed to adduce any material on the record to adjudicate the dispute. It appears that the workman is not interested in pursuing her claim. Accordingly, the claim of the workman is liable to be rejected.

5. Consequently, the reference is answered in the negative against the workman and in favour of the non-applicant management and it is held that the termination order dated 11-5-2003 passed against the workman is legal and justified. The claim of the workman is rejected. An award is passed in terms accordingly.

6. Let a copy of the award may be sent to the Central Government for publication under Section 17(1) of the Act.

R. C. SHARMA, Presiding Officer

नई दिल्ली, 16 नवम्बर, 2005

का.आ. 4566.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नेशनल रिसर्च सैन्टर ऑन सीड स्पाइसस के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/ब्रम न्यायालय, जयपुर के पंचाट (संदर्भ संख्या सी.जी.आई.टी.-100/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-11-2005 को प्राप्त हुआ था ।

[सं. एल-42012/218/2004-आईआर(सी-II)]

एन.पी. केशवन, डैस्क अधिकारी

New Delhi, the 16th November, 2005

S.O. 4566.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. C.G.I.T. 100/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Jaipur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of National Research Centre on seed spices and their workman, which was received by the Central Government on 16-11-2005.

[No. L-42012/218/2004-IR (C-II)]
N. P. KESAVAN, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JAIPUR Case No. CGIT-100/2005.

Reference No. L-42012/218/2004-IR(CM-II)

Smt. Seemadevi,

W/o Shri Kanhaiyalal Sargara,

Through Ramvilas Verma,

R/o Veer Tejaji Nagar,

Ajmer (Raj.)

..... Applicant

Versus

The Director,
National Research Centre on

Seed Spices,

Tabeeji,

Ajmer (Raj.)

--Non-applicant

Present:

PRESIDING OFFICER :	SH. R.C. SHARMA
For the applicant :	None.
For the non-applicant :	Sh. V. S. Gurjar
Date of award :	18-10-2005

AWARD

1. The Central Government in exercise of the powers referred under Clause D of sub-sections 1 and 2(A) to

Section 10 of the Industrial Disputes Act, 1947 (for short, 'the Act') has referred the following industrial dispute to this Tribunal for adjudication, which runs as under:—

"क्या निदेशक, राष्ट्रीय बीजीय मसाला अनुसंधान केन्द्र, तबीजी, अजमेर के द्वारा अपने कर्मकार श्रीमति सीमादेवी पत्नि श्री कन्हैयालाल, कैजुअल लेबर को दिनांक 26-12-2003 को सेवा से बर्खास्त करना न्यायोचित एवं विधि सम्मत है ? यदि नहीं तो कर्मकार अपने नियोजक से किस राहत को पाने का अधिकारी है?"

2. On 29-8-2005, the case was fixed for 27-9-2005 for the service of the registered notices on both the parties, which were issued on 2-9-2005. On 27-9-2005, the registered postal cover addressed to the wokman Smt. Seemadevi on her address as mentioned in the reference, was returned to the Court with the noting dated 19-9-2005 of the postman that the addressee has left without giving her new address. The case was then posted on 14-10-2005 in awaiting for both the parties to appear before the Court. On this date, on behalf of the management its representative Sh. V. S. Gurjar put his appearance. The case was then adjourned to 18-10-2005 when the representative for the management submitted his authority letter. But on all these consecutive dates, none put appearance on behalf of the workman. The registered postal cover having the endorsement by the postman that the workman has left and her further address is unknown clearly shows that she is untraceable and no other address is available with this Court. It further also reflects that the workman is not interested to pursue her claim and there is no material available on the record to adjudicate the dispute.

3. Accordingly, a "No Dispute Award" is passed in this matter.

4. Let a copy of the award may be sent to the Central Government for publication under Section 17(1) of the Act.

R. C. SHARMA, Presiding Officer

नई दिल्ली, 17 नवम्बर, 2005

का.आ. 4567.—केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 91-के साथ पारित धारा 88 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए निम्नलिखित प्रतिष्ठानों के नियमित कर्मचारियों को उक्त अधिनियम के प्रचालन से छूट प्रदान करती है :—

- (i) भारतीय केन्द्रीय कुटीर उद्योग निगम लिमिटेड, 01-10-2004 से 30-09-2006 तक की अवधि के लिए।
- (ii) प्राक्रिया एवं उत्पाद विकास केन्द्र, मेरठ, 01-01-1997 से 30-09-2006 तक की अवधि के लिए।
- (iii) मै. राष्ट्रीय बीज निगम, बंगलौर, 01-01-1989 से 30-09-2006 तक की अवधि के लिए।

2. उपर्युक्त छूट निम्नलिखित शर्तों के अध्यधीन है, अर्थात् :—

- (1) पूर्वोक्त प्रतिष्ठान, जिसमें कर्मचारी नियोजित है, एक

रजिस्टर रखेगा जिसमें छूट प्राप्त कर्मचारियों के नाम और पदनाम दर्शाएं जाएंगे;

(2) इस छूट के बावजूद कर्मचारी उक्त अधिनियम के अंतर्गत ऐसे लाभ प्राप्त करते रहेंगे जिनके लिए वे इस अधिसूचना द्वारा दी गई छूट के प्रवर्तित होने की तारीख से पूर्व संदत अंशदानों के आधार पर हकदार हो जाते।

(3) छूट प्राप्त अवधि के लिए यदि कोई अंशदान पहले ही किया जा चुका हो तो उन्हें वापस नहीं किया जाएगा।

(4) उक्त कारखाना/प्रतिष्ठान का नियोजक उस अवधि के लिए जिसके दौरान उस कारखाने पर उक्त अधिनियम (जिसे बाद में उक्त अवधि कहा गया है) प्रचालन में था, ऐसी विवरणियां ऐसे प्रारूप में और ऐसे ब्यौरों सहित देगा जो कर्मचारी राज्य बीमा (सामान्य) विनियम, 1950 के अंतर्गत उक्त अवधि के संबंध में इसे देनी धी;

(5) उक्त कर्मचारी राज्य बीमा अधिनियम की धारा 45 की उप धारा (1) के अंतर्गत नियम द्वारा नियुक्त किया गया कोई नियोक्तक अथवा इस नियित प्राधिकृत निगम का अन्य अधिकारी :—

(i) धारा 44 की उपधारा (1) के अंतर्गत उक्त अवधि के लिए प्रस्तुत किसी विवरणी में वर्णित ब्यौरों को सत्यापित करने के प्रयोजनार्थ ; अथवा

(ii) यह सुनिश्चित करने के प्रयोजनार्थ कि क्या उक्त अवधि के लिए कर्मचारी राज्य बीमा (सामान्य) विनियम, 1950 के अंतर्गत यथा अपेक्षित रजिस्टर और रिकार्ड रखे गए थे; अथवा

(iii) यह सुनिश्चित करने के प्रयोजनार्थ कि क्या कर्मचारी, नियोजक द्वारा दिए गए उन लाभों को, जिन्हें ध्यान में रखते हुए इस अधिसूचना के अंतर्गत छूट दी जा रही है, नकद तथा वस्तु के रूप में प्राप्त करने का पात्र बना रहेगा; अथवा

(iv) यह सुनिश्चित करने के प्रयोजनार्थ कि क्या उस अवधि के दौरान, जब उक्त कारखाने के संबंध में अधिनियम के ऐसे उपबंध प्रवर्तन में थे, निम्नलिखित का अधिकार प्रदान करने के लिए इस अधिनियम के किसी उपबंध का अनुपालन किया गया था :

(क) प्रधान अथवा वर्तमान नियोजक द्वारा उसे ऐसी सूचना देना आवश्यक बनाना जिसे वह आवश्यक समझता हो; अथवा

(ख) ऐसे प्रधान अथवा वर्तमान नियोजक द्वारा अधिगृहीत किसी कारखाने, प्रतिष्ठान, कार्यालय अथवा अन्य परिसरों में किसी भी उचित समय पर प्रवेश करना तथा वहां पाये किसी भी प्रभारी व्यक्ति द्वारा ऐसे नियोक्तक अथवा अन्य अधिकारी को व्यक्तियों के नियोजन और मजदूरी की अदायगी से संबंधित लेखे, बहियां और अन्य दस्तावेज प्रस्तुत करे और उनकी जांच करने दे, अथवा उन्हें ऐसी जानकारी दे जिसे वह आवश्यक समझता हो; अथवा

(ग) ऐसे कारखाने, प्रतिष्ठान, कार्यालय अथवा अन्य परिसरों में प्रधान अथवा वर्तमान नियोजक, उसके एजेंट अथवा सेवक

अथवा किसी ऐसे व्यक्ति की जांच करना जिसे उक्त नियोक्तक अथवा अन्य अधिकारी के पास यह विश्वास करने का पर्याप्त कारण हो कि वह एक कर्मचारी रहा है; अथवा

(घ) ऐसे कारखाने, प्रतिष्ठान, कार्यालय अथवा अन्य परिसरों में रखे गए किसी रजिस्टर, लेखा बही अथवा अन्य दस्तावेज की नकल तैयार करना अथवा उससे उद्धरण लेना।

[सं. एस-38014/1/2005-एस एस-I]

संयुक्ता राय, अबर सचिव

व्याख्यात्मक ज्ञापन

इस मामले में छूट को पूर्व प्रभाव से दिया जाना आवश्यक हो गया है क्योंकि छूट संबंधी आवेदनों की प्रक्रिया में समय लगा। तथापि, यह प्रमाणित किया जाता है कि पूर्व प्रभाव से छूट प्रदान करने से किसी भी व्यक्ति के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा।

New Delhi, the 17th November, 2005

S.O. 4567.—In exercise of the power conferred by Section 88 read with Section 91-A of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby exempts from the operation of the said Act the regular employees of the following establishments :—

- (i) Central Cottage Industries Corporation of India Ltd., exempted for the period from 01-10-2004 to 30-09-2006.
- (ii) Process-cum-Product Development Centre, Meerut, exempted for the period from 01-01-1997 to 30-09-2006.
- (iii) M/s. National Seeds Corporation, Bangalore, exempted for the period from 01-01-1989 to 30-09-2006.

2. The above exemption is subject to the following conditions namely :—

- (1) The aforesaid establishment wherein the employers are employed shall maintain a register showing the name and designations of the exempted employees'.
- (2) Notwithstanding this exemption, the employees shall continue to receive such benefits under the said Act to which they might have become entitled to on the basis of the contributions paid prior to the date from which exemption granted by this notification operates;
- (3) The contributions for the exempted period, if already paid, shall not be refundable;
- (4) The employer of the said factory/establishment shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred as the said period), such returns in such forms and containing such particulars

as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950;

- (5) Any inspector appointed by the Corporation under sub-section (1) of Section 45 of the said ESI Act or other official of the Corporation authorized in this behalf, shall, for the purpose of :—
- Verifying the particulars contained in any returned submitted under sub-section (1) of Section 44 for the said period; or
 - Ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period; or
 - Ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification; or
 - Ascertaining whether any of the provisions of the Act had been complied with during the period when such provisions were in force in relation to the said factory to empowered to :
 - require the principal or immediate employer to furnish to him such information as he may consider necessary; or
 - enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found in charge thereof to produce to such inspector or other official and allow him to examine accounts, books and other documents relating to the employment of personal and payment of wages or to furnish to him such information as he may consider necessary; or
 - examine the principal or immediate employer, his agent or servant, or any person found in such factory, establishment, office or other premises or any person whom the said inspector or other official has reasonable cause to believe to have been an employee; or
 - make copies of or take extracts from any register, account book or other document

maintained in such factory, establishment, office or other premises.

[No. S-38014/1/2005-SS-I]

SANJUKTA RAY, Under Secy.

EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemption in this case as processing of the applications for exemption took time. However, it is certified that the grant of exemption with retrospective effect will not affect the interest of any body adversely.

शुद्धिपत्र

नई दिल्ली, 21 नवम्बर, 2005

का.आ. 4568.—ऋग्म और रोजगार मंत्रालय की दिनांक 27 मार्च, 2003 के भारत के राजपत्र, भाग-II, खण्ड 3, उप-खण्ड (ii) में का.आ. संख्या 1173 के द्वारा प्रकाशित अधिसूचना में निम्नलिखित प्रविष्टियों को प्रतिस्थापित किया जाए अर्थात् :—

क्रम सं.

- मैसर्स इंडियन फार्मर्स फार्टिलाइजर कोपरेटिव लिमिटेड, नई दिल्ली के लिए मैसर्स इंडियन फार्मर्स से फार्टिलाइजर कोपरेटिव लिमिटेड की सभी इकाइयां पढ़ा जाए।
- कार्पोरेट कार्यालय मैसर्स हिन्दुस्तान लेटेक्स लिमिटेड, त्रिवेन्द्रम (पूजापुरा) और त्रिवेन्द्रम (कानागाला स्थित इसके निरोध कारखाने और पेरोकाडा इकाई तथा कानागाला इकाई के ठेका कर्मचारियों सहित) के लिए कार्पोरेट कार्यालय मैसर्स हिन्दुस्तान लेटेक्स लिमिटेड, अब्कूलम कारखाना, अब्कूलम, त्रिवेन्द्रम, त्रिवेन्द्रम (पूजापुरा) और त्रिवेन्द्रम (कानागाला स्थित इसके निरोध कारखाने और पेरोकाडा इकाई तथा कानागाला इकाई के ठेका कर्मचारियों सहित) पढ़ा जाए।

[संख्या एस-38014/1/2005-एसएस-I]

संयुक्ता राय, अवर सचिव

CORRIGENDUM

New Delhi, the 21st November, 2005

S.O. 4568.—In the Notification of the Ministry of Labour & Employment published in the Gazette of India Part-II, Section 3, Sub-section (ii) dated 27th March, 2003 vide S.O..No. 1173 the following entries shall be substituted namely :—

S.No.

- For M/s. Indian Farmers Fertiliser Cooperative Limited, New Delhi read All Units of M/s. Indian farmers Fertiliser Cooperative Limited.
- For Corporate Office M/s. Hindustan Latex Ltd., Trivandrum (Poojapura) and Trivandrum

(Including its Nirodh factory at Kanagala and Perokada Unit and contract employees of Kanagala unit) Read Corporate Office M/s. Hindustan Latex Ltd., Akkulam Factory, Akkulam, Trivandrum, Trivandrum (Poojapura) and Trivandrum (Including its Nirodh Factory at Kanagala and Perokada Unit and contract employees of Kanagala unit).

[No. S-38014/1/2005-SS-1]

SANJUKTA RAY, Under Secy.

शुद्धिपत्र

नई दिल्ली, 21 नवम्बर, 2005

का.आ. 4569.—प्रम और रोजगार मंत्रालय की दिनांक 12 फरवरी, 2005 के भारत के राजपत्र, भाग-II, खण्ड 3, उप-खण्ड (ii) में का.आ. संख्या 504 के द्वारा प्रकाशित अधिसूचना में निम्नलिखित प्रविष्टियों को प्रतिस्थापित किया जाए अर्थात् :—

क्रम सं.

4. मैसर्स इंडियन आयल ब्लैन्डिंग लिमिटेड, कोलकाता और द्राघी के लिए मैसर्स इंडियन आयल ब्लैन्डिंग लिमिटेड, कोलकाता प्लान्ट, मुंबई प्लान्ट (द्राघी), वाराणी प्लान्ट और मुख्य कार्यालय मुंबई पढ़ा जाए।
33. कापोरेट कार्यालय मैसर्स हिन्दुस्तान लेटेक्स लिमिटेड, त्रिवेन्द्रम (पूजापुरा) और त्रिवेन्द्रम (कानागाला स्थित इसके निरोध कारखाने और पेरोकाडा इकाई तथा कानागाला इकाई के ठेका कर्मचारियों सहित) के लिए कापोरेट कार्यालय मैसर्स हिन्दुस्तान लेटेक्स लिमिटेड, अक्कूलम कारखाना, अक्कूलम, त्रिवेन्द्रम, त्रिवेन्द्रम (पूजापुरा) और त्रिवेन्द्रम (कानागाला स्थित इसके निरोध कारखाने और पेरोकाडा इकाई तथा कानागाला इकाई के ठेका कर्मचारियों सहित) पढ़ा जाए।
40. मैसर्स एच आई एल, उद्योगमंडल, केरल के लिए मैसर्स एच आई एल, दिल्ली कार्यालय और उद्योगमंडल, केरल पढ़ा जाए।
54. मैसर्स इंडियन फार्मर्स फर्टिलाइजर कोपरेटिव लिमिटेड, नई दिल्ली के लिए मैसर्स इंडियन फार्मर्स फर्टिलाइजर कोपरेटिव लिमिटेड को सभी इकाइयां पढ़ा जाए।

[सं. एस-38014/1/2005-एसएस-I]

संयुक्ता राय, अवर सचिव

CORRIGENDUM

New Delhi, the 21st November, 2005

S.O. 4569.—In the Notification of the Ministry of Labour & Employment published in the Gazette of India Part-II, Section 3, sub-section (ii) dated 12th February, 2005 vide S.O. No. 504 the following entires shall be substituted namely :—

S.No.

4. For M/s. Indian Oil Blending Ltd. Kolkata and Trombay Read M/s. Indian Oil Blending Ltd. Kolkata Plant, Mumbai Plant (Trombay), Vashi Plant and Head Office Mumbai.
33. For Corporate Office M/s. Hindustan Latex Ltd., Trivandrum (Poojapura) and Trivandrum (Including its Nirodh Factory at Kanagala and Perokada Unit and contract employees of Kanagala unit) Read Corporate Office M/s. Hindustan Latex Ltd., Akkulam Factory, Akkulam, Trivandrum, Trivandrum (Poojapura) and Trivandrum (Including its Nirodh Factory at Kanagala and Perokada Unit and contract employees of Kanagala unit).
40. For M/s. HIL, Udyogmandal, Kerala Read M/s. HIL, Delhi Office and Udyogmandal, Kerala.
54. For M/s. Indian Farmers Fertiliser Cooperative Limited, New Delhi read All Units of M/s. Indian Farmers Fertiliser Cooperative Limited.

[No. S-38014/1/2005-SS-1]

SANJUKTA RAY, Under Secy.

शुद्धिपत्र

नई दिल्ली, 21 नवम्बर, 2005

का.आ. 4570.—प्रम और रोजगार मंत्रालय की दिनांक 4 जून, 2005 के भारत के राजपत्र, भाग-II, खण्ड 3, उप-खण्ड (ii) में का.आ. संख्या 2035 के द्वारा अधिसूचना में धारा 88 को धारा 87 पढ़े जाने के लिए सही किया जाए और 01 अक्टूबर, 1989 को 01 जुलाई, 1989 पढ़े जाने के लिए सही किया जाए।

[सं. एस-38014/58/2002-एसएस-I]

संयुक्ता राय, अवर सचिव

CORRIGENDUM

New Delhi, the 21st November, 2005

S.O. 4570.—In the Notification of the Ministry of Labour & Employment published in the Gazette of India Part-II, Section 3, sub-section (ii) dated 4th June, 2005 vide S.O. No. 2035 the Section 88 shall be corrected to read as Section 87 and 1st October, 1989 shall be corrected to read as 1st July 1989.

[No. S-38014/58/2002-SS-1]

SANJUKTA RAY, Under Secy.

नई दिल्ली, 24 नवम्बर, 2005

का.आ. 4571.—केन्द्रीय सरकार संतुष्ट हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (d) के उप-खण्ड (vi) के उपबंधों के अनुसरण में भारत सरकार के प्रम मंत्रालय की अधिसूचना संख्या का.आ. 2375 दिनांक 28-6-2005 द्वारा भारतीय खाद्य निगम जो

कि औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की प्रथम अनुसूची की प्रतिलिपि 6 में शामिल है को उक्त अधिनियम के प्रयोजनों के लिए दिनांक 28-6-2005 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था;

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छः मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है;

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (d) के उप-खण्ड (vi) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए दिनांक 28-12-2005 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[फा. सं. एस-11017/5/91-आई आर (पी एल)]

जे. पी. पति, संयुक्त सचिव

New Delhi, the 24th November, 2005

S.O. 4571.—Whereas the Central Government having been satisfied that the public interest so requires

that in pursuance of the provisions of sub-clause (vi) of clause (n) of Section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the Notification of the Government of India in the Ministry of Labour S.O. No. 2375 dated 28-6-2005 the service in the Food Corporation of India which is covered by item 6 of the First Schedule to the Industrial Disputes Act, 1947 (14 of 1947) to be a public utility service for the purpose of the said Act, for a period of six months from the 28th June, 2005.

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months.

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of Section 2 of the Industrial Disputes Act, 1947, the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act, for a period of six months from 28th December, 2005.

[File No. S-I 1017/5/91-IR (PL)]

J. P. PATI, Under Secy.